

Agenda Item No. 4.2

DERBYSHIRE COUNTY COUNCIL
REGULATORY – PLANNING COMMITTEE

3 October 2016

Report of the Strategic Director – Economy, Transport and Communities

- 2 PROPOSED TWO STOREY EXTENSION TO THE GLOSSOP ADULT EDUCATION CENTRE TO CREATE A NEW LIBRARY, THE CONVERSION OF THE EXISTING CRÈCHE INTO LIBRARY SPACE AND THE CONVERSION OF AN EXISTING ART ROOM WITHIN THE MAIN BUILDING INTO A CRÈCHE AT THE ADULT EDUCATION CENTRE, TALBOT STREET, GLOSSOP**
APPLICANT: DERBYSHIRE COUNTY COUNCIL
CODE NOS: CD1/0616/20 & LB1/0616/21

1.638.18 & 1.638.19

Introductory Summary This report is to consider applications by the Council for planning permission and for listed building consent for the construction at the Adult Education Centre Building, Talbot Street, Glossop of a two storey extension and conversion of an existing crèche at the building to create a new public library, and the conversion of an existing art room within the building as a replacement crèche. The Adult Education Centre Building is grade 2 listed. It is understood that the Council has decided to provide this library as a modern replacement for the existing public library in Glossop, which is located at the nearby Victoria Hall, (also grade 2 listed). The application site is located in the Norfolk Square Conservation Area. The proposed development would involve the loss of four trees on the site.

The proposed development would have benefits through its provision of a modern, public library service, and would help to maintain the vitality of the town. There are also benefits to be gained from co-locating the library with the Adult Education Centre. The design of the extension would preserve and enhance the character of the Conservation Area. The setting of the listed buildings would not be affected detrimentally. Concerns have been expressed about the impact of the development on the local amenity, ecology traffic and parking, as well as with respect to the Conservation Area, and the value of the building as heritage asset and a listed building and the corresponding listed building setting. However, I do not consider that (except in relation to trees) the proposed development would have any significant impacts in these respects, and consider that the proposal would accord with policies of the High Peak Local Plan 2016 (HPLP) and the National Planning Policy

Framework (NPPF) and it would accord with policies of the HPLP and the NPPF. The trees which development would result in the loss of contribute to the character of the Conservation Area and therefore consideration has been given to the harm caused to the significance of the Conservation Area against the public benefit associated with the provision of a library on this site. On balance, I find the proposal to be acceptable and recommend that the application for planning and the application for listed building consent are approved, subject the recommended conditions.

(1) **Purpose of Report** To enable the Committee to authorise the determination of the application for planning permission and to determine the views of the County Planning Authority on the application for Listed Building Consent so that they can be forwarded to High Peak Borough Council (HPBC) for that Authority to determine that application.

(2) **Information and Analysis** This report relates to an application for planning permission (CD1/0616/20) and a Listed Building Consent Application (LB1/0616/21) for the construction of a two storey extension, the conversion of the existing crèche into library space and the conversion of an existing art room within the main building into a crèche at the Adult Education Centre, Talbot Street, Glossop.

The Site and Surroundings

The application site is located to the north of Glossop town centre on Talbot Street. The site currently functions as an Adult Education Centre for Derbyshire County Council and comprises an existing two storey building (which was extended in 2005 to provide a crèche, a classroom and additional support space), hard surfaced areas that are currently used for car parking (currently providing 36 car parking spaces) and, to the west of the 2005 extension, a small rubber crumb play area for the crèche. The original building was constructed around 1900 and was a former technical grammar school, commissioned by the 2nd Lord Howard of Glossop. The building is grade 2 listed. The site is bound by Talbot Street to the east, Fitzalan Street to the north, Fauvel Road to the west and a narrow access road/footpath to the south that connects Talbot Street to Fauvel Road. The site is enclosed by a mix of weldmesh security fencing, stone walling and metal railings. There are also a number of mature trees within and around the site's boundary.

The application site is located within the Norfolk Square Conservation Area. The existing Glossop public library housed in Victoria Hall, also a grade 2 listed building, is located on the corner of Talbot Street and Fauvel Road, to the north of the application site. There are residential properties to the south, east and west of the site; the closest properties are the Talbot Villas on Talbot Street and two villa properties on Fauvel Road which adjoin the boundary with the Adult Education Centre.

The Proposal

The applications are proposing the construction of a two storey extension and internal alterations to the existing Adult Education Centre building to create a new public library. The extension would be constructed to the south of the existing building and would be attached to the 2005 extension via a curtain wall glazed link. The proposed extension would be of a similar design and use similar materials to the 2005 extension with dressed Ashlar Stone used for the external walls and a Westmoorland slate roof. The eaves line of the extension would match those of the 2005 extension and would be a full storey lower than the original listed building. The windows, doors and curtain walling would be grey coloured, powder coated aluminium to match the 2005 extension. The two dormer windows proposed to the southern elevation would be lead clad, flat roofed enclosures and sit on dressed stone sills. The extension would create an additional 306 square metres of internal floorspace.

The applications also propose to convert the existing crèche room at the site, located on the ground floor of the 2005 extension, into an art room, and to relocate the crèche on the ground floor of the original part of the building. This would require the removal of a sliding partition wall, which is a modern addition to the building, and the installation of two toilets. The existing crèche space would then be incorporated into the new library space.

The proposal would require the removal of four trees, two mature London Planes and two smaller lime trees, on the southern boundary. Compensatory planting is proposed, two London Planes would be planted to the east near to the site entrance on Talbot Street. A new hedge is also proposed to the southern boundary. The rubber crumb play surface to the west would be removed and the area returned to grass. The existing car park would be re-marked to provide a total of 32 car parking spaces (including 3 disabled persons parking spaces).

Opening hours for the new library would be 0900 hours to 1900 hours Monday to Friday and 0900 hours to 1600 hours on Saturday. The volume of visitors to the new library is anticipated to be similar to that of the existing library which, during an average week, is around 1,280 visits. The new library would replace the service currently provided in Victoria Hall, Glossop.

Background Information

The Council, as applicant, has provided the following information regarding the background to this proposal:

“Derbyshire County Council (DCC) is responsible for providing a statutory public library service for Glossop under the terms of the 1964 Public Libraries and Museums Act. The existing library service is housed within Victoria Hall, a late Victorian building located on the corner of Talbot Street and Fauvel Road. This building is in the ownership of High Peak Borough Council and requires a

programme of major refurbishment and repair to make it fit for purpose. The existing building does not provide the most suitable and economic long term solution to provide a quality public library service for the 21st Century e.g. lack of public floor space, poor disabled access, on-going maintenance costs. Therefore DCC Cultural and Community Services department undertook to review their options for an appropriate alternative facility within Glossop.

DCC has undertaken a number of feasibility studies to identify a suitable site for the provision of a library service in the town. It was concluded as a result of these studies that an extension to the existing Grade II listed Adult Education Centre on Talbot Street provided the most appropriate option. Other sites were considered, utilising existing buildings in the centre of the town and also a proposed new library building on Talbot Street, but these options were ultimately discounted. The advantages of the Talbot Street location is that the visual impact is limited, the site is reasonably well located to serve the local population and the service compliments that already offered in the adjoining Adult Education Centre.”

The existing library building, Victoria Hall, is owned by HPBC; the applications now under consideration do not include any proposal for its development or future use. The building's future is not known. However, the Committee, in considering these applications on behalf of the County Council as Local Planning Authority, will not be making any decisions on its future.

Post Application Submissions

The applicant has provided additional and revised information following the submission of the planning application. This information included a site investigation report, revised drawings amending the layout of the car parking area, landscaping and other amended elevation drawings and site plans in order to clarify a number of points, a revised design and access statement and further information on the method of construction of the foundations and the benefits of development.

Consultations

Local Members

Councillor Greenhalgh and Councillor E Wilcox have been consulted.

High Peak Borough Council (HPBC)

Planning

HPBC made the following observations on the planning application:

Principle of Development

HPBC considers that the proposals should accord with the HPLP 2016 and Section 8 of the NPPF. HPBC specifically made reference to HPLP Policy CF5: Provision and Retention of Local Community Services and Facilities,

Policy CF3 which relates to local infrastructure provision and is intended to outline the strategic approach to infrastructure provision in High Peak and policies S1 and S5 which specifically relate to sustainable development and the strategic strategy for Glossopdale. The policies support enhancements to key community services. HPBC commented that the proposals would need to accord with those policies outlined above and any harm arising from the proposals would need to be outweighed against the community benefit.

Conservation/Listed Building

HPBC has consulted its Conservation Officer and has advised as follows:

The new structure will be sited to the south of the existing listed Adult Education Building and parallel to an extension built in 2005. It will be connected via a glazed junction to help articulate the new library as a separate element. The building will be of two storeys with strongly defined gables emulating those of surrounding buildings. The structure will respond to the scale and architectural styling of surrounding buildings, and the dominance of the southern elevation will be mitigated through the insertion of recessed stone panels and feature dormer windows. The use of dressed ashlar stone, slate, lead-clad dormers and powder-coated windows and doors will complement surrounding materials.

Care will need to be taken to ensure that the boundary fronting the lane at the rear is well designed and maintained as the corner of the proposed building is extremely close to the pavement. The design is well considered and will cause no harm to the setting of surrounding Listed Buildings. The building will integrate with the existing character and appearance of the Norfolk Square Conservation Area although it is noted that there are some issues with trees that will need to be assessed. It is vital that the quality of the design is not watered down and that high quality materials are specified.

HPBC noted that no mention is made of internal alterations to the existing Adult Education Centre or the future use of Victoria Hall.

Notwithstanding the issues with regard to trees, the design, appearance and impact of the proposals on the setting of the Listed Building and Norfolk Square Conservation Area, it is considered that the application would comply with HPLP policies EQ6 and EQ7. Suitable worded conditions should be placed on any consent relating to samples of materials for all external surfaces of the development, boundary treatments and landscaping.

HPBC commented that they had not had sight of any correspondence from Historic England and recommended that consideration is fully given to the response from them and that the development would accord with Section 12 of the NPPF.

Trees

HPBC's Arboricultural Officer made the following observations:

These proposals include the removal of two London Plane trees two smaller lime trees. The London Plane are large mature trees of a species that is not common in Glossop. The trees contribute to the setting of the Conservation Area and it would be very desirable to see these trees retained.

The plans show that the trees to be retained are to be fenced off during the construction phase of the development. The fencing is not at the optimum position for root protection as defined by BS5837(2012), however, given the changes in level on the site and the extent of the existing hard surfacing, it is on the most practical location for the fencing. Any approval should be conditioned to ensure that there is an arboricultural method statement that deals with the tree protection and the works within the root protection area, in particular, the removal of the existing surfacing.

HPBC considers that the proposed scheme will have a negative impact on mature tree cover in the Conservation Area and therefore, it is not possible to give the scheme support from an arboricultural point of view. However, it is for the County Council to look at all the aspects of the application and come to a decision on whether the negative aspects of the scheme are outweighed by the benefits and, if minded to approve the development, it is suggested that the loss of these trees should be mitigated for, ideally a 2 for 1 replacement of the trees but there is very limited green space within the site so in this case, it may be better to require the replacement of a semi mature London Plane in the area of planting in the car park adjacent to Talbot Street.

As such, it is not considered that the proposals would comply with HPLP Policy EQ9 relating to trees and Policy S1. Furthermore, it would not comply with the provisions of Paragraph 118 of the NPPF.

Highway Safety and Parking Provision

HPBC made reference to HPLP Policy CF6: Accessibility and Transport. HPBC seeks to ensure that new development can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport, and help deliver the priorities of the Derbyshire Local Transport Plan.

The proposals would need to ensure that the community facilities allow for ease of access by multiple methods of transportation and the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.

The policy supports proposals for new community assets and facilities where these are required to meet the needs of the plan area or lead to the provision

of additional assets that improve community well-being. Any development should ensure that it does not lead to an increase in on-street parking to the detriment of the free and safe flow of traffic, and any new development would be expected to meet parking standards set out in the HPLP.

HPBC also notes the comments of the Derbyshire County Council's Highways department, welcomes consideration of a cycle store as part of the development and recommended conditions, and notes that the proposed development would need to comply with HPLP 2016 Policy CF6.

Amenity

HPBC commented that the proposals will need to accord with HPLP Policy EQ6 and Paragraph 17 of the NPPF with regard to levels of amenity for adjacent occupiers. The proposals should not cause any adverse impacts in terms of overlooking, overshadowing, noise and disturbance on existing local residents. Appropriate conditions with regard to construction working hours and hours of delivery of materials, should be placed on any approval.

Ecology

HPBC considers that the County Council should liaise directly with Natural England and also Derbyshire Wildlife Trust with in regard to the impact of any ecological or protected species and the ecological surveys which have been undertaken. Any proposals should accord with HPLP Policy EQ5 and Section 11 of the NPPF.

Pollution and Contamination

HPBC advised that the site is in an area known to have contamination issues. As such, to protect the health of the public and the wider environment, and having consulted with the High Peak Environmental Health Officer (EHO), it recommended a condition requiring a site investigation to be undertaken at the site. HPBC advised that any development should accord with HPLP Policy EQ10.

Comment: Following the submission of a site investigation report to accompany the application, the EHO was re-consulted.

Environmental Health Officer Comments:

The EHO commented that the submitted site investigation report was acceptable and recommended an alternative condition to require remediation measures in the event that any unexpected contamination is found.

Historic England

Advised that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's expert conservation advice.

The Highway Authority

Derbyshire County Council, as the Highway Authority, in its original consultation response, raised a number of concerns about the reduction in parking space at the site and the awkward access to some of the spaces as shown on the proposed layout drawing, and queried whether there would be sufficient space within the site for the access/manoeuvring of larger vehicles, such as library vans, delivery vehicles and community transport, and requested clarification.

The Highway Authority is mindful that the existing library, which is located only a short distance away on the same road, has no off-street parking. It is considered that any adverse impact would be likely to result from the loss of existing spaces serving the premises currently occupying the development site. With this in mind, the Highway Authority suggested that funding of £15,000 is secured for a monitoring period of 2 years post-opening of the proposed development for investigation into, and any subsequent implementation of, traffic management measures on the surrounding highways should the need arise. In addition, in order to encourage more sustainable travel, the Highway Authority recommended that secure cycle parking is provided within the site.

The Highway Authority recommended that liaison between the applicant and the Traffic Safety and Management Section with respect to access to the site during the construction period continues and all routing, signage, etc is carried out to its satisfaction. The Highway Authority also recommended that a construction management plan, the provision of space within the site for the manoeuvring of vehicles, the provision of cycle parking facilities, arrangements for collection of waste from the site be required.

Following the submission of additional information and revised drawings, the Highway Authority made the following comments:

“It’s noted that the proposed internal site layout has been revised although overall off-street parking provision remains the same as that previously submitted. Reference is made to parking being restricted to use by staff and disabled visitors only to encourage library users to visit on foot or using public transport in a similar manner to the existing library situation. As previously recommended, funding should be secured for investigation into, and subsequent implementation of, traffic management measures to mitigate adverse effect of on-street parking on the highway network should it prove necessary following the development being brought into use.

The details suggest that there is no requirement for access by library vans or community transport vehicles and that the largest vehicles likely to frequently visit the site are of transit van size. It would appear that there is adequate manoeuvring space within the proposed site layout to enable such vehicles to

enter and exit the site in a forward gear. The proposed bin store has been relocated but this remains in a position where roadside collection should be possible. Presumably the views of the local refuse collection service have been sought with respect to suitability of the proposals for their purposes.

The proposed Construction Site Set Up appears to be acceptable and liaison with our Traffic Safety and Management Section with respect to routing/ signage/ etc. should continue. Therefore, in addition to securing of the aforementioned funding, it's considered that the previously recommended conditions and advisory notes remain appropriate and should be included within any consent."

The Crime Prevention Design Advisor

The Crime Prevention Design Advisor is of the view that the proposed building would not be at great risk, being located within a secured site, and commented that the supporting design and access statement provides some construction standards for security which are appropriate for the context. Mention is made of BS7950 for windows, which is no longer in use. All external doors and windows would be constructed in accordance with PAS24:2016.

From a wider community safety perspective, the main issue the Crime Prevention Design Advisor foresees is the effect of the development upon the footpath which runs along the southern boundary of the site.

Because of the proximity of the proposed building block to this site boundary, there will be a restriction in sight lines around the footpath from within the site, and the existing more distant Adult Education building. This might be seen to enclose the footpath between the new site and the domestic conifer boundary opposite, presenting a less welcoming route.

There is also the risk to the south elevation of the new building to consider, which is tight up to the existing boundary fence and, as a consequence, at risk of damage from the poorly supervised footpath route.

However, it is noted that the existing route is presently heavily shrouded around this point by tree growth from the Adult Education site, and that tree clearing to enable the development should open up this section of the path considerably, also allowing better light spread from street lighting. It is also noted that the south elevation of the new building is untreated at ground floor level, which will reduce the likelihood of damage.

Consequently, on balance, the Crime Prevention Design Advisor's view is that the new building and associated works would probably slightly enhance footpath safety in the area concerned.

Comment: The Crime Prevention Design Advisor also provided comments on the security of Victoria Hall once it becomes vacant. However, the future vacancy of Victoria Hall does not form part of this application and any issues relating to its security and future are not matters for consideration under this application.

Publicity

The planning application was originally advertised by press notice (Glossop Chronicle), site notice and neighbour notifications with a request for observations by 14 July 2016, and further advertised by press notice, site notice and neighbour notifications, following the submission of additional and revised information, with a request for observations by 22 September 2016. In response to this publicity 223 letters of representation have been received from 161 separate addresses, the great majority of which are opposed to the proposal.

The points raised in objection to the proposal raised to the proposal are summarised below:

Impact on the Heritage Assets

- The application would damage the integrity of Glossop.
- The impact on the heritage and character of Glossop.
- The attractiveness of the Conservation Area would be affected.
- The new building will diminish the areas distinctive built heritage and not enhance it.
- The loss of matures trees that contribute to the character of the area.
- The extension would harm the setting and significance of the grade 2 listed buildings (Victoria Hall and the Adult Education Centre).
- Victoria Hall and the Adult Education Centre are unique landmark buildings.
- The character of the Adult Education Centre will be altered by overdeveloping the site.
- The building will dominate and overload the site, and the setting of the listed building will be adversely affected.
- The elevation to the south would obscure the grade 2 listed building and detract from the Conservation Area.
- The blank ground floor wall on the southern elevation is at odds with the local vernacular of the Conservation Area.
- The proposals will significantly alter the Victorian ambience.

Design

- Concerns about access to the building and whether the building would be compliant with the Disability Discrimination Act (DDA).
- Insufficient light inside the building.
- Displacement of current facilities.

- The new crèche would be inferior.
- The new crèche has no outside play area.
- Loss of crèche spaces in the area.
- Design does not comply with national standards for crèches.
- Squeezed in design.
- The structure does not inspire civic pride.
- This extension, together with the earlier one, will dominate the listed building and the listed building would be obscured.
- Insufficient access for service vehicles.
- The creation of dangerous pinch points.
- The appearance of the security fencing.
- No designated disabled pathway / no safe pedestrian walkways.
- Local plan policy is contravened in the design of the building.
- The type of disabled access lift is not appropriate; motorised scooters and parents with prams will have no access to the upper floors.
- The design does not comply with the local plan to reduce energy consumption or address global warming.

Local Amenity

- Loss of daylight and sunlight.
- Overlooking and loss of privacy due to windows overlooking adjacent properties and gardens.
- Lighting would be intrusive for residents.
- The proposal would adversely affect the living environment of residents.
- Increase in traffic, noise and disturbance to residents.

Traffic and Parking

- Insufficient car parking is provided for visitors to the library.
- The car parking for the Adult Education Centre is being compromised.
- The car parking does not meet minimum requirements.
- No facilities for cycles.
- The proposal will displace cars onto the street.
- No travel plan has been provided.
- There are already parking problems in the area which would be exacerbated.
- The impact of traffic associated with the development on the traffic in the area.
- The siting of the library will create a bottle neck on that part of Talbot Street.
- A two way system operating in a very small area with sight lines blocked by Talbot Villas.

Community Safety

- Concerns about crime and security.

- Increased footfall on the adjacent lane would increase opportunities for anti-social behaviour and crime.

Ecology

- There will be a negative ecological impact.
- Impact on the bat population.
- Losing the trees will destroy habitat for wildlife.
- Loss of foraging ground for bats.
- Concerns about the conclusions that a License from natural England will not be required.
- The lack of evidence for protected species does not necessarily indicate their absence.
- The impact of lighting on bats.

Landscaping

- The grass replacing the play area will not grow under the trees.
- There is nothing on the plans about the recommendations in the ecology report for replacement tree planting, green walls and underplanting.
- The trees proposed to be felled make a statement.
- Mature significant trees would be replaced with a low hedge.

Ground Conditions and Pollution

- Concerns about the presence of ground contamination on the site.
- The site is made ground and investigation needs to be made regarding public health and safety.
- Concerns about the method of constructing the foundations and the impact on neighbouring residential properties.

Other Comments

- No proven need to extend the building.
- No proper public consultations have taken place.
- A waste of natural resources to build a new building and money.
- No improvements to public open space.
- The public benefits from a new library can be provided within the existing building. Victoria Hall has spare capacity much greater than that of the entire new build.
- There are no substantial public benefits to the proposal and some are inferior.
- Issues with the plans and drawing inaccuracies.
- Loss of facilities in the area.
- No extra community benefit.
- Residents have conducted three surveys in the last four years and the overwhelming majority of respondents want the library to remain in the Victoria Hall.

- Concerns about the future of the current library building Victoria Hall.
- There is a covenant on Victoria Hall stating that it should always remain a library.
- A local group SOUL is raising funds to draw up cost viable schemes for the existing library and wants to have meaningful discussions with the Council about these options.
- The applications contravene policies in the HPLP and in the NPPF.
- No environmental impact assessment.
- What will happen to the youth club run from Victoria Hall?

Comments Made in Support of the Proposal

- The building is sympathetic with the listed building and Conservation Area.
- Glossop needs and deserves a new library.
- The proposed new building fits well with the existing building and the local area.
- A new library connected to an existing Adult Education facility will provide an integrated resource for learning.

Comment: The issues raised in the letters of representations regarding the plans and drawing inaccuracies were addressed in the revised information that was submitted. The application was screened under the provisions of the Environmental Impact Assessment Regulations (England) 2011, and it was resolved that Environmental Impact Assessment was not required for this proposal.

Victorian Society

Whilst the society raised no objections to the physical interventions proposed to the Adult Education Centre (former grammar school), it has serious reservations about the prospect of relocating the library from its present location in Victoria Hall. The Society expressed a view that the current proposal, like the previous proposal for a replacement library, could place the future of Victoria Hall in danger. The Society does not consider that the extension and conversions at the former grammar school would provide much by way of an improvement in facilities over those currently available at Victoria Hall and raised concerns about the costs of maintaining Victoria Hall once vacant. The Society also commented on a local group 'Save Our Unique Library' (SOUL) who is actively raising funds to retain the library and that this is something that the Councils' should make note of. The group, with both Councils support, should be given the opportunity to secure Victoria Hall. It recommended that the application is withdrawn.

Decision to Relocate the Glossop Library from Victoria Hall

The decision by the County Council to relocate the existing Glossop library out of the Victoria Hall is not in itself for consideration as part of the determination of these applications. However, given that many of the representations

received in response to publicity on this planning application relate to this issue, the decision process to relocate the library is summarised for general information as follows:

A report was presented to the Derbyshire County Council Cabinet on 24 November 2015 jointly by the Strategic Directors of Corporate Resources and Health and Communities. The report sought approval for a replacement library in Glossop.

The report, while accepting there was a need for the provision of a library service in Glossop, recommended the relocation of the library from the Victoria Hall and the handing back of the building to HPBC. This was on the basis that the Victoria Hall suffers from structural problems and on-going repair and maintenance requirements that would be excessively expensive to address.

The report then set out six options as to how a library service could be provided for at alternative locations. Each option was evaluated against a number of criteria and a risk analysis carried out. The report recommended that Option 1 "Extension to the existing Adult Education Centre building on Talbot Street to provide a joint service hub for the library and Adult Education" be pursued.

The decision of the Cabinet was to (1) approve the relocation of Glossop Library from the Victoria Hall and the handing back of the building to High Peak Borough Council, and; (2) approve Option 1 as the preferred scheme for a replacement library.

Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In respect of this application, the relevant policies of the development plan are contained the policies of the HPLP (2016). The NPPF is a material consideration.

The most relevant policies of the HPLP are:

CF3: Local Infrastructure Provision.

CF5: Provision and Retention of Local Community Services and Facilities.

CF6: Accessibility and Transport.

EQ5: Biodiversity.

EQ6: Design and Place Making.

EQ7: Built and Historic Environment.

EQ10: Pollution Control and Unstable Land.

S1: Sustainable Development Principles.
S1a: Presumption in Favour of Sustainable Development.
S2: Settlement Hierarchy.
S5: Glossopdale Sub-area Strategy.

The Glossop Design and Place Making Strategy 2011 and the Glossop Conservation Area Appraisal 2006, are adopted Supplementary Planning Documents which are also of some relevance.

The Need for and Benefits of the Development

As noted above, the applicant has decided to relocate Glossop Library. This proposal would provide a new purpose built structure adjoining the Glossop Adult Education Centre, as also referred to in the Information and Analysis section above.

The applicant is of the opinion that there are also significant benefits in co-locating the Town's library service with the Adult Education service. The library and Adult Education Centre would play a vital role in encouraging local people to carry on learning throughout their lives and make an important contribution to establishing healthier and happier communities. The co-location would enable collections, spaces and learning programmes to be integrated into a more joined-up framework connecting formal and informal learning providers. The integration would also widen participation and support, not only educational but economic, social and personal progression as well; both libraries and the Adult Education Centre play an important role in combating poverty. There are already a wide range of activities already established and delivered by libraries, such as reading groups, that would complement the work of the Adult Education Centre. Library users would be able to access a much wider range of facilities than a public library is normally able to offer, including potentially the crèche and the refreshment area.

The NPPF attaches great importance to promoting the vitality of town centres and healthy communities. Paragraph 70 of the NPPF advises that, in order to deliver the social, recreational and cultural facilities the community needs, planning decisions should ensure that facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.

Policy CF3 of the HPLP relates to local infrastructure provision and is intended to outline the strategic approach to infrastructure provision in High Peak. It includes a provision to improve services and community facilities, and advises that new development will only be permitted where suitable arrangements are in place to improve infrastructure, services and community facilities, where necessary.

Policy CF5 of the HPLP seeks to maintain and improve the provision of local community services and facilities. The policy supports proposals which protect, retain or enhance existing community facilities (including multi-use and shared schemes) or provide new facilities. New facilities should be located within the built up area where they are most accessible.

Policies S1, S1a and S5 of the HPLP specifically relate to sustainable development and the strategic strategy for Glossopdale. These policies promote sustainable growth, support enhancements to key community services, and reflect the presumption in favour of sustainable development contained in the NPPF.

The proposed development would provide a modern library facility and secure a location for continuing a library service in Glossop and, in principle, would accord with policies CF3 and CF5 of the HPLP and the NPPF regarding the provision of community services and enhancing the vitality of the Town. However, the proposals acceptability needs to be considered against all other development plan policies. The key issues that need to be considered include:

- location of the development;
- the design of the proposed extension to the building;
- the impact of the development on the setting, character and appearance of the Conservation Area, including the loss of trees;
- the impact of the development on the setting of the listed buildings;
- the impact of the development on local amenity;
- traffic and parking; and
- the potential impact of the development on protected species.

Location

The application site is located in the Glossop Town Centre and approximately 250 metres to the north of Glossop High Street. Policy S1 of the HPLP states that “*new development should make effective use of land and buildings and be located in sustainable locations in line with the Settlement Hierarchy in Policy S2*”. Policy S2 directs development towards the most sustainable locations in accordance with a settlement hierarchy, with Market Towns at the top of the hierarchy identifies. This policy identifies Glossop as a focus area for growth. Policy S5 of the HPLP seeks to promote the sustainable growth of Glossopdale whilst maintaining the distinct identity of its settlements and states that this can be achieved is by supporting the vitality and viability of Glossop Town Centre and by supporting enhancements to key community services.

The new library would be located in the built up area and would be closer to Glossop High Street than the current library. There are other large non-residential buildings on and around Talbot Street, including the Adult Education Centre, the current library at Victoria Hall, and the High Peak Social

Services Office, currently vacant. The railway station, a Job Centre Plus, a doctor's surgery and the Police Station are within 200 metres of the site. Libraries are important community facilities and the new library would, in my opinion, help to enhance the vitality and viability of the town through the provision of the services that it would offer. I therefore consider locating a new library on this site on Talbot Street would be acceptable; it would make effective use of land and buildings and I am satisfied that the location would accord with policies CF5, S1, S2 and S5 of the HPLP. Issues relating to the sites location in the Conservation Area are considered further below.

Scale, Form and Design

Policy EQ6 of the HPLP requires all development to be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place.

The proposed extension would have a similar appearance and scale to the earlier 2005 extension, although it is longer and slightly wider than the 2005 extension. The extension would be of a simple traditional design and would be constructed using materials intended to reflect the local vernacular and to be respectful of the existing listed building. The design does incorporate architectural features to add interest and is sympathetic to the character of the surrounding area. The building's design incorporates security features and lighting in accordance with relevant British Standards for build design.

I note the concerns that have been raised about wheelchair and disabled access in and around the extension. The applicant has advised that the extension would be built to comply with Part M (access to and use of buildings) of the Building Regulations. The existing wheelchair accessible ramp is proposed to be modified to suit the new building and the main entrance doors, and all fire escape doors would have a level threshold. An internal lift is proposed to be provided to access the upper floor and a disabled persons toilet on the ground floor of the library.

Residents have also raised concerns about the method of construction and whether the extension can be constructed within the confines of the Adult Education Centre site, as the south-west corner of the building is proposed to be positioned approximately 850mm from the site boundary. The applicant has confirmed that the extension can be built within the confines of the Adult Education Centre site and the method for constructing the foundations, which would be piles with a perimeter concrete ring beam. The applicant does not consider that the method of construction would impact on adjoining land or that there would be any adverse effects on surrounding properties.

I am satisfied that the proposed extension would be of a good quality design and appropriate for use as a library. The impact of the design on heritage assets is analysed in the section below.

Heritage Assets

The Authority as a local planning authority, when considering whether to grant planning permission for development which affects a listed building or its setting, is required by law to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

As a planning authority exercising its planning functions with respect to any buildings or other land in a conservation area, it is also required by law to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 133 of the NPPF states that “*where a proposed development will lead to substantial harm to or total loss of significance of the designated heritage assets, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that loss.*”

Policy EQ7 of the HPLP seeks to conserve heritage assets and their settings in a manner appropriate to their significance, taking into account the desirability of sustaining and enhancing their significance and ensuring that development proposals contribute positively to the character of the built and historic environment.

The Norfolk Square Conservation Area

The proposed extension would be located within the Norfolk Square Conservation Area and any development in this location has potential to impact on its character and appearance. The Glossop Conservation Area Character Appraisal identifies its key qualities as primarily relating to its significant traditional buildings of high architectural quality.

The proposed extension is of a traditional design, taking its precedent from the earlier 2005 extension. Its construction would utilise materials to key in with the earlier extension and to compliment the local vernacular. The extension is located towards the rear of the site and would be set back from the street; this would help to reduce any visual impact on the Conservation Area. I am of the opinion that the extensions design responds to the scale and architectural style of the surrounding buildings and would integrate with and preserve and enhance the Conservation Area.

The proposal would have a negative impact on the mature tree cover in the Conservation Area through the loss of trees which is referred to below. Notwithstanding this impact, I am satisfied that the impact of the proposed extension on the character of the Norfolk Square Conservation Area would not be significant, and would not cause harm to its significance. The proposal is considered to accord in this respect with the NPPF and with policies EQ6 and EQ7 of the HPLP.

Listed Building and their Settings

The site of the proposed extension is located to the south of the existing Glossop Adult Education Centre, which is a grade II listed building. The original building was constructed around 1900 and the reasons for its inclusion on the statutory list primarily relate to it being a good example of late Victorian architecture, and its relationship to Glossop as a textile mill settlement and the benevolence of its rich patrons.

The Adult Education Centre has already been extended with a modern extension in 2005; the proposed extension would be connected to this previous extension via a glazed link, and would not impact directly on the external fabric of the original listed building.

The proposal would require some minor internal alterations to the listed building due to the relocation of the crèche, however, subject to imposition of conditions to the listed building consent to require full details of the alterations to be approved (as recommended), I do not consider these would cause any material harm to the listed building.

The existing trees which would be lost are features in the setting of the Centre as a listed building. However the impact of the loss on the setting would tend be mitigated increasingly over time by the new London planes and the hedge that would be planted, and it is not considered that the loss would affect the setting adversely.

Victoria Hall, located to the north of the site, is also a Grade II listed building. Victoria Hall is separated from the site by Fitzalan Street. The proposed extension would not be prominent from Victoria Hall. Whilst the Adult Education Centre site is to be regarded as in its setting, the extension would be relatively remote since it would be located to the rear of the existing Adult Education Centre, and the residential properties to the west and east of the site would also screen views of the extension. It is therefore considered that the proposed development would not have any significant impact on the setting of Victoria Hall as a listed building.

As has been described above, the design quality of the extension is considered to respond to the character of the Adult Education Centre and the surrounding area. It is not considered that the setting of either listed building,

would be adversely affected by the proposed extension. Subject to imposition of the recommended conditions, I am satisfied that the proposed development would in this respect accord with policies EQ6 and EQ7 of the HPLP and NPPF.

Trees

The proposal requires the removal of four trees, two of which are mature London Plane trees. Concerns about the loss of these trees, which are considered to contribute to the character of the Conservation Area, have been raised in letters of representation and by High Peak Borough Council.

Paragraph 118 of the NPPF states *“that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.”*

Policy EQ9 of the HPLP seeks to protect existing trees, woodland and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration. The policy goes on to set out how this should be achieved as:

- requiring existing healthy, mature trees to be retained and integrated within proposed development unless the need for, and benefits of the development clearly outweigh their loss;
- new developments where appropriate to provide tree planting and soft landscaping, including where possible replacement of any trees removed at a ratio of 2:1; and
- resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.

The application is proposing to replace the two London Planes along the eastern boundary with Talbot Street; which clearly would not meet the standard planting ratio for new development under Policy EQ9 and would result in an overall net loss of trees on the site. However further replacement planting is not considered to be possible due to the constraints of the site, therefore it is not considered that the policy would be contravened in this respect.

The main element of policy EQ9 requires an assessment to be made as to whether the need for and the benefits of the development would outweigh the loss of the trees.

The need for the development and its benefits, are referred to above. In summary, it is accepted that there is a need to continue to provide a public library service for Glossop and that there are benefits to co-locating the new

library with the Adult Education Centre. However, the tree loss which is associated with this proposal involves issues of potential conflict with the requirements of policy EQ9 as well as with S1 of the HPLP and with the NPPF in relation to their expectations for the retention of the trees. It is always regrettable when trees are lost as a result of development, particularly when those trees are valued in their own right and providing a contribution to a conservation area and the setting of the listed building, as is clearly the case here. However, taking into account the general suitability of the of the location of the development for the proposed beneficial public uses, in this instance the need for and benefits of the development are considered to outweigh the harm to be caused by the net loss of trees. .

Ground Conditions

The application site is located in an area with potential for ground contamination issues, due to previous uses and the presence of made ground.

The NPPF at Paragraph 121 states that decisions should ensure that:

- *“the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;*
- *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- *adequate site investigation information, prepared by a competent person, is presented”.*

Policy EQ10 of the HPLP sets out to control and prevent pollution and protect people and the environment from unsafe, unhealthy and polluted environments. The policy advises that this will be achieved by ensuring that developments avoid potential adverse effects and by only permitting development where pollution, such as land contamination, the remaining potential adverse effects are mitigated to an acceptable level by other environmental controls or measures included in the proposals. This may be achieved by the imposition of planning conditions.

The applicant has carried out ground investigation works at the site and provided a ground investigation report with the application. The ground investigation works involved the excavation of trial pits and boreholes at the site, and testing of samples. The report confirmed the presence of made ground at the site to a depth of 4.45 metres and deposits of clays, silts and sands underlying to a depth of 20.3 metres. The report concludes that the firmer stiffer natural deposits are appropriate for the piled foundations for the building and, on the basis of the soil contamination assessment, no specific

remedial measures are considered necessary with respect to future occupiers or controlled waters.

The EHO has been consulted on the application and has advised that the site investigation undertaken is acceptable and the submitted report contains sufficient information. The site is considered to be low risk and is suitable for use and, as such, can be considered to meet the requirements within the NPPF. The EHO has, however, recommended a condition to require the approval of additional remediation measures in the event that contamination, not previously been identified, is found.

I am satisfied the proposal would accord with policies EQ9 and S1 of the HPLP and the NPPF.

Residential Amenity

Considering the close proximity of some of the residential properties, it is likely that they will, on occasions, experience some noise disturbance from the development, particularly during the construction phase. The concerns raised regarding privacy and overlooking issues, crime and anti-social behaviour are also noted.

Policy EQ6 of the HPLP requires development “*to achieve a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity*”.

The site is a public educational building that is currently visited by members of the public; the existing library is also located in relatively close proximity to the site, and currently generates visitors and vehicle movements to the area. The proposal would extend the Adult Education Centre further south and closer to residential properties in Fauvel Place; it would also bring the building closer to the Villas on Talbot Street and on Fauvel Road.

The residential properties in the area are already overlooked to some degree by the Adult Education Centre, however, existing intervening vegetation and boundary treatments help to obscure views. There is existing vegetation on the boundary of the residential properties to the south that would obscure views, and a distance of approximately 20 metres from the southern elevation of the proposed extension to the nearest property to the south would be maintained, which I consider to be acceptable in order to minimise overlooking and visual intrusion. The library room on the upper floor of the building is proposed to be a quieter reading/working area. The windows to the southern elevation of the proposed extension are dormer style and their size is restricted which would, in my opinion, also assist in protecting neighbouring privacy.

There is potential for disturbance to local residents from noise during the construction phase and I would recommend the imposition of conditions to control noise, as well as dust, from the construction phase of the development.

External lighting on the new building and possibly lighting emanating from within the building during evening use also has the potential to impact on residential amenity and I would recommend the imposition of a condition requiring the submission of a lighting scheme for approval.

Residents have raised concerns about the potential for crime and anti-social behaviour as a result of the development, in particular from increased use of the adjacent lane/footpath that connects Talbot Street to Fauvel Road. The existing library and the Adult Education Centre already create pedestrian use of this route and I do not consider this is likely to significantly increase as a result of the development. The applicant has incorporated into the design of the building security features. The Crime Prevention Design Advisor has been consulted and has not raised any objections.

Overall, due to the closeness of the development to the adjacent residential properties, there is likely to be some impact on the amenity of these residential properties. However, I would consider the impact on amenity to be relatively minor and I do not consider it raises conflict with Policy EQ6 of the HPLP.

Traffic and Parking

Concerns have been raised regarding the potential impact of traffic from visitors to the library, insufficient parking space being made available and the displacement of parking for users of the Adult Education Centre.

Policy CF6 of the HPLP seeks to ensure that development can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport and help deliver the priorities of the Derbyshire Local Transport Plan. The NPPF at Paragraph 32 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The application site is located in a relatively busy area with a number of large public buildings in the vicinity and there would appear to be a high demand for on-street parking locally. Footfall to the new library is anticipated to be similar to that of the existing library, at around 110,000 per year. The current library is located close to the application site and does not provide any off-street parking facilities for staff or visitors.

I do not consider that the transfer of the library service to the proposed site would result in any significant increase in visitors and traffic into the area, over and above what now occurs.

The parking at the site would be restricted to use by staff and disabled visitors in a similar manner to the existing situation. The Highways Authority has been consulted and has raised no objections in principle to the proposal. However, it is concerned about the reduction in parking spaces that would be available at the Adult Education Centre site and the implications this might have on the surrounding streets for residents, as the proposal would see a reduction in the number of on-site spaces that would be available.

I accept the view of the Highway Authority that the on-street car parking situation should be monitored for a period of two years following the development being taken into use. If, after this period, it is considered that traffic management measures are appropriate, they could be pursued at this time. The applicant has agreed that funding of up to £15,000 would be put aside and for investigation into, and any subsequent implementation of, traffic management measures, for a period of two years following the development being brought into full use, in the event that issues arise on the local highway network as a result of the development.

With the provision of funding for potential traffic management measures as referred to above, I am satisfied that the development would not be detrimental to highway safety and would accord with Policy CF6 of the HPLP and the NPPF. I would also recommended that conditions to require the installation of a cycle store at the site and to protect local amenity, as per the Highway Authority recommendation, are imposed.

Ecology

The ecological interest of the site has been established through survey work and the applicant has provided with the application an ecological report, which includes a habitat survey, a bat scoping and a single bat emergence survey. The surveys identified that the tree lined boundaries of the site were used by commuting and foraging bats. However, the surveys indicated that the buildings proposed to be affected by the development have low potential for bat roosts and the emergence survey did not show any bats using these buildings but bats were observed emerging from an adjacent property. The trees proposed to be felled were assessed as providing some bat roosting potential although no bats roosts were identified as likely to be affected by the proposals. The buildings and trees also provide some potential for nesting bird habitat. There was no evidence of any other protected or notable species being present on the site.

Policy EQ5 of the HPLP aims to minimise the potential impacts of development on biodiversity and to provide net gains in biodiversity where

possible. I am satisfied that the scope of the ecological work undertaken is sufficient, and have no reason to doubt the conclusions drawn in the ecological report. The applicant has confirmed that the further survey work proposed within the report regarding the precautionary pre-felling checks of trees, as well as a precautionary update survey of the building to confirm previous findings, would be undertaken prior to works commencing. However, I would recommend that the further survey work is secured by a condition; I am also recommending conditions regarding lighting on the site which can impact on bat populations and to protect breeding birds. Subject to the recommended conditions, I am satisfied that the proposal would accord with Policy EQ5 of the HPLP.

Conclusion

The development proposed under these applications would contribute to the provision of public library and adult education services. The development would have benefits through the provision of a modern public library, and helping to maintain the vitality of the town. There are also benefits to be gained from co-locating the library with the Adult Education Service.

The development would result in the loss of trees which do contribute to the character of the Conservation Area. I have therefore given particular consideration to any impacts it would have on listed buildings, and their settings, and on the significance of the Conservation Area, taking into account this loss.

I find that, weighing the benefits associated with the proposed development against the dis-benefits from the loss of the trees, the application for planning permission is acceptable and does not warrant refusal of permission. There is still some detail in schemes and some mitigation required, but I consider these requirements can be met by appropriate conditions. Subject to the recommended conditions, the planning application is therefore recommended for approval.

(3) **Financial Considerations** The correct fee of £770 has been received.

(4) **Legal Considerations** This report is considering an application under the terms of the Town and Country Planning General Regulations 1992 for development which the Authority itself proposes to carry out, and an application under the Planning (Listed Building and Conservation Areas) Regulations 1990 (as amended). The Regulations require that an application by the council of a County shall be made to the district planning authority (Regulation 13 (7)).

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a planning authority, in considering whether to grant planning

permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a planning authority when exercising its planning functions with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of these applications being approved subject to the conditions referred to in the recommendation below.

(5) **Environmental and Health Considerations** As indicated in the report.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property, social value and transport considerations.

(6) **Background Papers** File 1.638.18
Application documents from the Director of Property dated 27 May 2016, revised and additional information received 22 August and 8 September 2016, email correspondence dated 22 June, 4 July and 15 September 2016, letter dated 24 August 2016.
Correspondence from:
Historic England dated 22 June and 8 September 2016,
Highways Area Management Division dated 6 July and 14 September 2016
High Peak Borough Council dated 18 July 2016.
The Environmental Health Officer dated 12 September 2016.
The Victorian Society dated 17 August 2016.
The Crime Prevention Design Advisor dated 15 September 2016.
Letters of representation – various dates.

(7) **OFFICER'S RECOMMENDATIONS** That the Committee resolves:

- 7.1 That planning permission for application code number CD1/0616/20 be **granted** subject to the conditions set out in schedule A below.
- 7.2 That High Peak Borough Council be **informed** that Derbyshire County Council has no objections to the corresponding application for Listed Building Consent (application code number LB1/0616/21) being approved subject the conditions set out in schedule B below or similar.

Schedule A – Conditions to be attached to planning permission CD1/0616/20

Commencement

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: The condition is imposed in accordance with Section 91 of the Town and County Planning Act 1990.

- 2) Notice of commencement of the development shall be provided to the County Planning Authority at least seven days in advance of the intended start of works on site.

Reason: To enable the County Planning Authority to monitor the development in the interests of the amenity of the area.

Form of Development

- 3) The development shall be carried out in accordance with details contained in the planning application and accompanying documents dated 27 May 2016, as amended by revised drawings and documents received on 22 and 24 August 2016 from the Director of Property, unless otherwise modified or amended by conditions of this planning permission. For the avoidance of doubt the drawings and documents are:

- Drawing number 1500548/X/01 Rev A – Block Plan.
- Drawing number 1500548/X/02 Rev A – Location Plan.
- Drawing number 1500548/X/03 Rev A – Proposed Construction Site Set Up.
- Drawing number 1500548/X/101 Rev A – External Works Proposed Layout.
- Drawing number 1500548/X/201 Rev A – Soft Landscaping.
- Drawing number 1500548/X/103 Rev A – Tree Protection Plan.
- Drawing number 1500548/A/01 Rev D – Proposed Ground Floor Plan.
- Drawing number 1500548/A/01 Rev C – Proposed First Floor Plan.
- Drawing number 1500548/A/03 Rev D – Proposed Elevations;
- Drawing number 1500548/A/04 Rev D – Proposed Elevations.
- Design and Access Statement Rev A dated 22 August 2016.
- Letter dated 24 August 2016 – Comments on Buildability.
- Plant Schedule.
- Soft Landscape Schedule.
- Interpretative Report on Ground Investigation Report No. G16103-IR July 2016.

- Extended Phase 1 Habitat Survey and Bat Surveys Report dated April 2016.
- Heritage Statement.
- Tree Survey Report UPRN: 2613-01.

Reason: To ensure conformity with the details of the application that is approved and to clarify its scope, in the interest of the local amenity.

Further Details to be Submitted

- 4) Prior to works commencing above ground level, precise details of the external materials to be used, including samples of the materials, shall be submitted to and approved in writing by the County Planning Authority. The submission shall include the following:
- i. details of the external masonry, to include walling stone, type and source of stone; course depth, block dimensions and any variation proposed, textured face finish, tooling etc, bedding joint depth, profile and finish, stone copings and kneelers, heads and cills;
 - ii. details of the roofing materials, slate dimensions and coursing, including ridge detail, eaves details, fascias and soffits;
 - iii. full details of the external doors, window frames, including dimensions of reveals, glazing materials and colour finish;
 - iv. detailed drawings for the dormer windows and materials, including lead details and corbel brackets;
 - v. details of the glazing system for the glazed link;
 - vi. details of the proposed mortar mix and style of pointing;
 - vii. the preparation of a sample panel on site of the external walling materials including the items specified at i (with the exception of the stone copings, kneelers, heads or cills) and vi above;
 - viii. detail of the rainwater goods, type, profile, dimensions, finish and colour;
 - ix. details of any ventilation goods;
 - x. details of the alterations to the external ramp, including railings;
 - xi. details of any proposed external signage; and
 - xii. details of any external lighting wall, floor or post mounted, including security lighting.

The development shall then be constructed in accordance with the details as approved.

Reason: In the interest of visual amenity and to protect the character and appearance of the area and the setting of the listed building.

Hours of Operation

- 5) Construction work (including deliveries of construction materials) shall only take place between:

0800 hours and 1800 hours Mondays to Fridays; and
0800 hours and 1300 hours on Saturdays.

No working shall take place on Sundays, Bank Holidays or Public Holidays.

Reason: To clarify the hours of operation, in the interests of local Amenity.

Noise

- 6) Any equipment or machinery required to be operated outside the hours specified above in Condition 5 shall be acoustically screened in accordance with a scheme that has been submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of local amenity.

- 7) Before any piling work commences, a written method statement shall be submitted to and approved in writing by the County Planning Authority. The development shall then be implemented as approved.

Reason: To control the impact of noise generated by the development, in the interests of local amenity and the environment.

- 8) No piling shall take place outside the hours 0900 hours to 1600 hours Mondays to Fridays.

Reason: To control the impact of noise generated by the development, in the interests of local amenity.

- 9) Any generators brought onto site shall be super silenced (enclosed) and/or screened, and not located adjacent to nearby residential properties.

Reason: To control the impact of noise generated by the development, in the interests of local amenity and the environment.

Dust

- 10) The development shall not be begun until a dust suppression scheme for the construction works has been submitted to and approved in writing by the County Planning Authority.

Reason: To control the impact of dust generated by the development, in the interests of local amenity.

Environmental Protection

- 11) No burning of waste shall take place at the site.

Reason: In the interests of residential and local amenity.

- 12) The development shall not be begun until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the County Planning Authority. The scheme shall then be implemented in accordance with the approved details.

Reason: To ensure that the development is provided with a satisfactory means of drainage, as well as to reduce the risk of creating or exacerbating a flooding problem, and to minimise the risk of pollution.

Access and Highway Safety

- 13) No development shall be begun until a construction management plan or construction method statement has been submitted to and approved in writing by the County Planning Authority. The plan/statement shall be adhered to throughout the construction period and shall provide for:

- Parking of vehicles of site operatives and visitors;
- Routes for construction traffic;
- Hours of operation;
- Method of prevention of debris being carried onto the highway;
- Pedestrian and cyclist protection;
- Proposed temporary traffic restrictions; and
- Arrangements for turning vehicles.

Reason: This condition is imposed in the interest of highway safety. It is necessary for the condition to be a pre-commencement condition to ensure that suitable provision for the management of construction traffic is in place prior to the commencement of construction works on site, so as to avoid potential highway safety and local amenity impacts.

- 14) The premises which are the subject of the application shall not be taken into use until: space has been provided within the application site in accordance with the approved application drawings for the parking/loading and unloading/manoeuvring of visitors/staff/customers/service and delivery vehicles. The space shall be maintained throughout the life of the development free from any impediment to its designated use.

Reason: In the interests of highway safety and local amenity.

- 15) The premises which are the subject of the application shall not be taken into use until details of secure cycle parking facilities for the staff and visitors to the site have been submitted to and approved in writing by the County Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To encourage sustainable modes of transport.

- 16) The premises which are the subject of the application shall not be taken into use until details of the arrangements for storage of bins and collection of waste have been submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved details and the facilities shall be retained for the designated purposes at all times thereafter.

Reason: In the interests of highway safety and local amenity.

Ground Contamination

- 17) In the event that any pollutant source for contamination of land air or water is found, during the course of the development, which has not previously been identified in the site investigation report, measures for the remediation of this source shall be submitted to and approved in writing by the County Planning Authority. The remediation shall be carried out in accordance with the approved measures.

Reason: To protect the local environment from pollution and to prevent pollution to watercourses.

Tree Protection

- 18) No development shall be begun until an Arboricultural Method Statement has been submitted to and approved in writing by the County Planning Authority which shall include but not be limited to the following:
- details of above and below ground tree protection measures;
 - information for the routing of services;
 - details of the site compound;
 - details of area for the storage of materials;
 - work access to the site during the construction period; and
 - details of any pruning works proposed to be carried out.

The development shall then be carried out in accordance with the Arboricultural Method Statement as approved.

Reason: To ensure that trees are maintained, managed and protected from damage and retained as part of the site landscaping in the interests of visual amenity and landscape character. It is necessary for the condition to be a pre-commencement condition to ensure that suitable measures are in place to protect the trees on the site prior to the commencement of construction works on site, so as to avoid potential harm.

Landscaping

- 20) The site shall be landscaped in accordance with the details shown on drawing number 1500548/X/201 Rev A – Soft Landscaping. For the first five years following the implementation of the landscaping scheme, planting shall be maintained and any shrubs or trees which die or become seriously damaged, diseased or are missing, shall be replaced with plants of the same species or such alternative species that shall have been approved in writing beforehand by the County Planning Authority (for the avoidance of doubt 100% replacement is required).

Reason: To ensure that the site is suitably landscaped and in the interests of visual amenity and the environment.

Ecology

- 21) Before commencement and no earlier than seven days in advance of the intended start of works on site, to be notified in accordance with Condition 2 above, an updated survey of the buildings for bats shall be carried out. In the event that bats are found by the survey to be present, no development shall be commenced until a report of the survey and a scheme for mitigation of any harmful impacts on bats has been submitted to and approved by the County Planning Authority. Any scheme submitted and approved pursuant to this condition shall be implemented in full.

Reason: In the interests of the protection of bats and nature conservation. It is necessary for this condition to be pre commencement condition so that the presence of any bats can be identified before construction works commence and prevent any potential harm or disturbance to a protected species.

- 22) Before any felling of trees takes place and no earlier than seven days in advance of the intended start of the felling, a pre-felling check of the trees to be felled for the presence of bats shall be undertaken. In the event that bats are found by the pre-felling check to be present details of the findings of the pre-felling check and a scheme for mitigation of any harmful impacts on bats has been shall be submitted to the County Planning Authority. Any scheme submitted and approved pursuant to this condition shall be implemented in full.

Reason: In the interests of the protection of bats and nature conservation.

- 23) There shall be no removal of vegetation that may be used by breeding birds during the bird breeding season (i.e. March to September, inclusive).

Reason: In the interest of the protection of breeding birds.

Schedule B – Conditions to be attached to Listed Building Consent LB1/0616/21

Commencement

- 1) The works to which this Consent relates shall be begun not later than 3 years from the date of this Consent.

Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) The date of commencement of the work under this Consent shall be notified to the County Planning Authority, in writing, seven days prior to the intended date of commencement.

Reason: So the County Planning Authority can monitor the proposed works.

- 3) The work for this Consent shall be carried out in accordance with the application and accompanying documents dated 27 May 2016, as amended by revised drawings and documents received 22 August 2016 and letter dated 24 August 2016 from the Director of Property, unless otherwise modified or amended by conditions of this Consent. For the avoidance of doubt the drawings and documents are:

- Drawing number 1500548/X/01 Rev A – Block Plan;
- Drawing number 1500548/X/02 Rev A – Location Plan;
- Drawing number 1500548/A/01 Rev D – Proposed Ground Floor Plan;
- Drawing number 1500548/A/01 Rev C – Proposed First Floor Plan;
- Drawing number 1500548/A/03 Rev D – Proposed Elevations;
- Drawing number 1500548/A/04 Rev D – Proposed Elevations;
- Letter dated 24 August 2016 – Comments on buildability;
- Heritage Statement.

Reason: For the avoidance of doubt, to enable the County Planning Authority to monitor the development and to protect the setting of the listed building.

Internal Works to the Building

- 4) Before any internal work is begun to convert the art room into a crèche, full details of:
- i. the removal of the partition wall and a method statement;
 - ii. the removal of any other features and their historical significance;
 - iii. any works proposed to the ceiling;
 - iv. any proposed new plaster and finishings;
 - v. any skirting, architrave or flooring that would be affected;
 - vi. any proposed new internal joinery; and
 - vii. method of installation of the WC's.

shall be submitted to and approved in writing by the County Planning Authority. The development shall then be carried out as approved.

Reason: To ensure that the impact on the fabric of the Listed Building is controlled.

External Works to the Building and Curtilage Features

- 5) Prior to works commencing above ground level, precise details of the external materials to be used, including samples of the materials, shall be submitted to and approved in writing by the County Planning Authority. The submission shall include the following:
- i. details of the external masonry, to include walling stone, type and source of stone; course depth, block dimensions and any variation proposed, textured face finish, tooling etc, bedding joint depth, profile and finish, stone copings and kneelers, heads and cills;
 - ii. details of the roofing materials, slate dimensions and coursing, including ridge detail, eaves details, fascias and soffits;
 - iii. full details of the external doors, window frames, including dimensions of reveals, glazing materials and colour finish;
 - iv. detailed drawings for the dormer windows and materials, including lead details and corbel brackets;
 - v. details of the glazing system for the glazed link;
 - vi. details of the proposed mortar mix and style of pointing;
 - vii. the preparation of a sample panel on site of the external walling materials including the items specified at i (with the exception of the stone copings, kneelers, heads or cills) and vi above ;
 - viii. detail of the rainwater goods, type, profile, dimensions, finish and colour;
 - ix. details of any ventilation goods;
 - x. details of the alterations to the external ramp, including railings;
 - xi. details of any proposed external signage;

- xii. details of any external lighting wall, floor or post mounted, including security lighting.

The development shall then be constructed in accordance with the details as approved.

Reason: To protect the setting of the listed building.

Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015

The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to issues that arose in the processing of the planning application. The Authority has kept the applicant up to date with the progress of the application and has forwarded to the applicant consultation responses and letters of representation as they have been received. The Authority has requested additional information where necessary to clarify details of the application.

Footnotes

- 1) This permission, granted under the terms of Regulation 3 of the Town and Country Planning General Regulations 1992, is for the sole benefit of Derbyshire County Council and can only be implemented by that Authority.
- 2) Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
- 3) Car parking spaces measure 2.4m x 5.5m (larger in the case of spaces for use by disabled drivers) with adequate space behind each space for manoeuvring.