Calvern Taverns Ltd
104 Newcastle Street
Silverdale
Newcastle under Lyme
ST5 6PL

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Hewitt & Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire
ST10 1NP

Calvern Taverns Ltd
104 Newcastle Street
Silverdale
Newcastle under Lyme
ST5 6PL

Application no: SMD/2016/0305

Determined on: 08/09/2016

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2015

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:
21 High Street Cheadle Staffordshire ST10 1AA

Description of Development:
Proposed conversion of former A1 (Bakery) to A4 (Public House), demolition of existing rear brick and asbestos outbuilding and creation of rear terrace and beer garden.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with plans:-
- 00515 AL(O) 01 (Existing Plans and Elevations)
- 00515 AL(O) 02 Rev C (Proposed Plans and Elevations)
- 00515 AL(O) 03 (Site and Location Plan)
- 00515 AL(O) 04 Rev B (Shop Front Details)
- 00515 AL(O) 05 (Window Details)

Reason:- For the avoidance of doubt.

3. Prior to any work to the external surfaces of the development hereby approved, a sample panel of the proposed render shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in accordance with the approved details.
Reason:- To ensure the external appearance of the development is appropriate to its surroundings.

4. All noisy activities shall be restricted to the following times of operations.
- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason:- To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

5. The machinery, plant or equipment including air condition and ventilation systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014.
Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

6. The public house use hereby permitted shall not be operated until full particulars and details of a scheme to insulate the premises against the transmission of airborne sound has been submitted to and approved in writing by the Local Planning Authority and thereafter shall be carried out in accordance with any approval given. The scheme criteria shall achieve sufficient noise reduction to ensure that the noise from the activities generated inside the fabric of the relevant buildings/premises shall not increase the background noise levels during day time expressed as LA90 [1hour](day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation.
Reason:- To safeguard the amenity of neighbouring residential occupiers.

7. Any amplified sound system used in connection with this permission shall be installed with a suitably calibrated noise limiter so as to prevent the transmission of noise and vibration into any neighbouring premises. The details of the noise limiter shall be submitted to and approved in writing by the Local Planning Authority. This noise limiter shall thereafter be implemented as approved and maintained in accordance with the manufacturer's instructions.
Reason:- To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

8. No means for the amplification of voice or music whatsoever shall be installed for use outside of the building or for onward external transmission. Any broadcast or background music played inside the building shall at all times be set at a level that will ensure that it is inaudible outside of the building.
Reason:- To prevent further deterioration of local residential amenity, the protection of the amenities of the surrounding area and the occupiers of nearby residential properties and to avoid the risk of disturbance to neighbouring dwellings during unsocial hours.

9. The external terrace and beer garden shall only be operational between the hours of 9.00 and 23.00 on any day.
Reason:- To prevent further deterioration of local residential amenity, the protection of the amenities of the surrounding area and the occupiers of nearby residential properties and to avoid the risk of disturbance to neighbouring dwellings during unsocial hours.

10. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation.
Reason:- To protect the local amenities of the local residents by reason of excess of illuminance.

11. During any demolition and construction activities (including landscaping) the contractor shall pay due regard to the Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456) and shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
Reason:- To ensure that the reasonable residential amenities of adjoining properties are adequately protected from dust pollution.

12. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not re-commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and approved in writing by the Local Planning Authority.
Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

13. Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from cooking activities on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the prepared use continues. Details of the equipment shall be submitted to and

approved by the Local Planning Authority in writing prior to the commencement of the public house use. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of the use.
Reason:- To ensure that unsatisfactory cooking odours outside the premises are minimised, in the interest of the amenity of occupiers of nearby properties.

14. The amended Knotweed Method Statement as submitted on the 5th September 2016 for the removal, treatment and further management of Japanese Knotweed found on site at the rear of 21 High Street, Cheadle shall be fully implemented in accordance with the details and timescales contained within the approved report.
Reason:- In the interests of nature conservation.

15. Details of the proposed boundary treatment / hard surfacing to the rear yard area shall be first submitted to and approved in writing by the Local Planning Authority within one month of the date of the permission. The scheme shall thereafter be implemented as approved prior to any occupation of the development.
Reason:- In the interests of the integrity and preservation of this Grade II listed building.

Informative(s)

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. Any redundant on site that may well have asbestos containing materials (ACM) in their fabric (e.g. asbestos roof) To ensure no future asbestos contamination, as a result of demolition a "Demolition or refurbishment asbestos survey" and risk assessment should be carried out prior to the demolition of these buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

3. An advertisement consent may be required for the proposed signage.

Signed on behalf of Staffordshire Moorlands District Council

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.

2. Where a vehicle is often driven across a grass verge or kerbed footway to and

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.

3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
   (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
   (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
   (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
   (b) Variation to the approved plans will require the submission of a new planning application.

6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.