STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr and Mrs Boulton
Megcroft Farm
Onecote Road
Ipstones
ST10 2NB

Application no: SMD/2017/0023

Determined on: 09/03/2017

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

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:
Megcroft Farm Onecote Road Ipstones Staffordshire ST10 2NB

Description of Development:
Change of use of existing agricultural unit and conversion to B2 (General Industrial) with new personnel access door

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 the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

PL01
PL04A including proposed internal layout of building

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Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. The building on site shall not be occupied by any business other than that owned by the residents of Megcroft Farm, Ipstones. The building shall not be used for any purpose other than in connection with the supply, storing, cutting, picking and packing of specialist hardwoods, and for no other purpose, including any use falling within Class B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or as may subsequently be amended or renacted unless otherwise approved in writing by the Local Planning Authority.

Reason:-
In the interests of the character and amenities of the area and of highway safety.

4. The number of staff associated with business occupying the building on site shall not exceed three, including residents of Megcroft Farm, Ipstones, unless otherwise approved in writing by the Local Planning Authority.

Reason:-
In the interests of the character and amenities of the area and of highway safety.

5. No more than two customers of the business occupying the site shall visit the site per week unless otherwise approved in writing by the Local Planning Authority.

Reason:-
In the interests of the character and amenities of the area and of highway safety.

6. Deliveries of products from the site shall not exceed one per day unless otherwise approved in writing by the Local Planning Authority.

Reason:-
In the interests of the character and amenities of the area and of highway safety.

7. Tree/hedge planting and other soft landscaping shall be undertaken to the south and west of the building during the first planting season following the commencement of the use of the building in accordance with a landscaping scheme to be submitted to and approved in writing by the Local Planning Authority before the building is brought into use These details shall include:
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where

appropriate
- Implementation timetables

Reason:-
To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

8. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-
To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

9. No items, products or waste associated with the business on site shall be stored outside of the building.

Reason:-
In the interests of the character and appearance of the area.

10. Before the proposed development is brought into use, the access gate shall be repositioned approx 10m rear of the carriageway edge and shall open inwards away from the highway in accordance with the approved plans.

Reason:-
In the interests of highway safety.

11. The vegetation on the frontage of the site shall be maintained in line with the face of the wall such that it does not grow beyond the wall, in accordance with the approved plans.

Reason:-
In the interests of highway safety.

12. The machinery, plant or equipment including 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.

13. The buildings/premises be noise insulated to BS 8233:2014 (British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings). The design 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. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014.

Reason:-
To protect the local amenities from noise.

14. No mobile plant vehicles shall be operated on the site other than those with a 'white noise' type of reversing warning alarm system, or an alternative system approved in writing by the Local Planning Authority.

Reason:-
To protect the local amenities from noise.

15. The premises shall only be used for the permitted purpose between 08:00 hours and 18:00 hours Mondays to Fridays and at no time on Saturdays, Sundays and Bank Holidays.

Reason:-
To protect the local amenities from noise.

16. Before the commencement of the use of the site hereby approved, details of waste storage and removal from the site shall be submitted to and approved by the Local Planning Authority and the agreed waste storage and removal from the site method shall be undertaken for the life of the development hereby approved.

Reason:-
In the interests of the character and amenities of the area and preventing pollution.

Informatives

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

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provisions of the NPPF.

2. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer:

- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing 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/

- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

- During any demolition and construction activities (including landscaping) the contractor should take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

- The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils
http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf
and Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

- If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12: Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and ""appropriate person"". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.
Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.
During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes
The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted.
Contaminated materials identified for removal off site must be disposed of in an appropriately

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licensed landfill site.
Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council

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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 at buildingcontrol@staffsmoorlands.gov.uk

2. Where a vehicle is often driven across a grass verge or kerbed footway to and 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. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk 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.

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8. If this is a decision to refuse planning permission for a minor commercial 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.

9. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

10. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

11. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State 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.

12. 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.
13.