STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Miss Lisa Matthewson
The Planning Bureau Ltd
Unit 3 Edward Court Altrincham Business PArk
Altrincham
WA14 5GL

Ross House Binley Business Park
Harry Weston Road
Coventry
CV3 2TR

Application no: SMD/2017/0165

Determined on: 31st August 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:
Portland Mill Land at Buxton Road Portland Street Leek Staffordshire

Description of Development:
Demolition of existing buildings; retention of façade to Queen Street and erection of Retirement Living accommodation (49 units)
including car parking and landscaping.

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.

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2. The development hereby permitted shall be carried out in accordance with the following approved plans:

WM 2416 01 03 AC 001, 002A, 003A, 004A, 005A, 006A, 007A, 008A, 009A 010A, 011, 012 and 014
WM 2416 01 02 LA 0001A

B16332-201 External levels

7011 02 10, 11, 12, 15, 16 and 17

Reason:- For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding any details shown on the submitted plans and application no development (except demolition and site clearance) shall be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- External facing materials, including hard surfacing;
- Window and door details including recess depth of frames
- Parapet detailing
- Eaves / verge details;
- An assessment and scheme of materials from demolished mill buildings to be re used in the development
- Decorative banding and panel detailing
- Rainwater goods
- Chimney details

Development shall thereafter be undertaken in accordance with the approved details.
Reason:- In the interests of the historic character and visual appearance of the area.

4. No development shall commence until a full Schedule of Works ('Schedule') to the Queen Street façade and the Brunswick Street side gables, which are both retained within the development as shown on the approved drawings has been submitted to and approved in writing by the Local Planning Authority. Such Schedule to include, albeit not limited to:-
- Full details for the repair, refurbishment or where necessary the replacement of the existing timber windows and doors. Where replaced these shall be of timber construction and shall include details of sections, recess depth and opening mechanisms.
- Full details for the treatment of the junction between retained and new building
- Full details for the repair and making good of existing brick and stonework

The development shall be carried out strictly in accordance with the approved details.
Reason:- In the interests of the historic character and visual appearance of the area.

5. Notwithstanding any detail shown on the submitted plans no development (excluding demolition and site clearance) shall take place until such time that details of all boundary walls and railings have been submitted to and approved in writing by the Local Planning Authority. Such detail to include height, materials and coping. For the Portland Street frontage the boundary shall be a minimum of 2m in height. The approved details shall be implemented prior to the development first being brought into use.
Reason:- To provide appropriate definition and enclosure to the site in the interests of the historic character and visual appearance of the area.

6. The development (except for demolition and site clearance) hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

Highways

7. The development hereby permitted shall not be brought into use until the existing site access dropped crossings, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted, are permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details prior to the development being first brought into use.
Reason: - In the interests of highway safety.

8. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans.
Reason: - In the interests of highway safety.

9. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor (channel drain), provided across the access immediately to the rear of the highway boundary, connected to a surface water outfall ideally to SuDS principles has been submitted to and approved in writing by the Local

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Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason: - In the interests of highway safety.

10. The development hereby permitted, except for demolition and site clearance shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:-
-construction of the bellmouth access
-relationship of proposed access to existing access
The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason: - In the interests of highway safety.

11. The development hereby permitted shall not be brought into use until details of the 2.4mx43m visibility splays to the east from Portland Street and to the west from Brunswick Street both across the Buxton Road frontage have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development being brought into use and retained for the life of the development
Reason:- In the interests of highway safety

12. The development hereby permitted shall not be brought into use until the visibility splays shown on plan WM-2416-01-03-AC-004A have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
Reason:- In the interests of highway safety

13. Before the proposed development is brought into use details shall be first submitted to and approved in writing by the Local Planning Authority indicating:
- details of operation of the gates indicating how site operator will ensure highway is not affected and how entry to the site will be restricted to authorised personel only and
- details of operation of pedestrian gates.

The development shall thereafter be implemented in accordance with the approved details and retained for the life of the development.
Reason:- In the interests of highway safety

14. The development hereby permitted, except demolition and site clearance, shall not be commenced until an off-site traffic management scheme comprising of a TRO to provide double yellow line parking restrictions from the proposed access north to

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tie in to the existing parking restrictions on the A523 Buxton Road and for 10m to the south from the proposed access have been submitted to and approved in writing by the Local Planning Authority. The traffic management scheme shall thereafter be implemented prior to first use of the development.
Reason:- In the interests of highway safety

Amenity
15. No development hereby permitted shall take place until a Construction and Environmental Method Statement (the 'Statement') for the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- The method and duration of any pile driving operations (expected starting date and completion date);
- The hours of work for 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) and 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;
- Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- The arrangements for prior notification to the occupiers of potentially affected properties;
- The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction;
- Details of wheel washing facilities. All construction vehicles shall have their wheels cleaned before leaving the site;
- A scheme for recycling/disposal of waste resulting from the construction works;
- The parking of vehicles of site operatives and visitors;
- The loading and unloading of plant and materials;
- The storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, and,
- Installation and maintenance of wheel washing facilities.

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All works within the development shall be carried out in accordance with the approved Statement.
Reason:- To safeguard the amenity of local residents and that of the surrounding area

16. Prior to any part of the development first being occupied pre-completion tests shall be carried out to verify compliance with the submitted and approved Noise Assessment prepared by SRL Technical Services Ltd. dated 17th July 2017. The raw data, calculations and results from the pre completion tests shall be submitted to the Local Planning Authority for its written approval before any of the units hereby approved are occupied.
Reason: To protect occupiers from noise and safeguard their residential amenities

17.The machinery, plant or equipment 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 same 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 4142:201 or the prevailing British Standard. The details and location of any plant or machinery to be installed under this permission shall be first submitted to and approved of in writing by the Local Planning Authority and thereafter installed as agreed.
Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

Contamination Risk Assessment

18. No part of the development hereby permitted, except for works of site clearance (not to include demolition or break up or removal of hardstanding or other excavation) shall take place until a further site 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. The investigation and risk assessment shall be undertaken by competent person(s) and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The assessment shall include:

i. A survey of the extent, scale and nature of any contamination;
ii. An assessment of the potential risks to:
    - Human health
    - Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;

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- Adjoining land;
- Ground and surface waters;
- Ecological systems; and,
- Archaeological sites and ancient monuments.

iii. An appraisal of remedial options and the preferred option (s)

A written report of the findings shall be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development.

Remediation Statement

19. No phase of the development hereby permitted, except for works of site clearance and demolition (not to include break up or removal of hardstanding or other excavation) shall take place until a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken has been submitted and approved in writing by the Local Planning Authority. The remediation strategy shall be produced by competent persons and shall include a:

i. Summary of the results of the site investigation and the detailed risk assessment and options appraisal referred to in Condition 18.
ii. Remediation strategy giving full details of all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures, and,
iii. Verification plan providing details of the data that will be collected in order to demonstrate that the works as set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation scheme shall be fully implemented as approved and subsequently maintained in accordance with the timing / phasing arrangements embodied within the scheme. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Verification Report

20. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for

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longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall subsequently be implemented as approved

Unexpected Contamination

21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 18 and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of Condition 19. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced in accordance with the requirements of Condition 20.

Soil Importation

22. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material shall be submitted to and approved in writing by the Local Planning Authority. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence shall be submitted to and approved in writing to by the Local Planning Authority prior to the soils being imported onto site.
Reason (common to 18 - 22):- To ensure that the proposed development ensures that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Drainage

23.The development hereby permitted (except demolition and site clearance) shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

Landscaping

24. Before the commencement of development (excluding demolition and site clearance) a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the submitted drawings

entitled Landscape Concept Design and Detailed Landscpae Planning. Such a scheme shall include full details of all new tree and shrub planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.
Reason:- To ensure an acceptable finish to the development in the interests of the character and appearance of the area

Authorisation of demolition
25.The works of demolition hereby authorised shall not be carried out until such time that a contract for the carrying out of the works of redevelopment of the site has been made and signed and proof provided to the Local Planning Authority for its written approval. .
Reason:- In the interests of protecting the character and appearance of the area and as the loss involves buildings identified as a Non designated heritage asset.

Biodiversity
26. The development hereby permitted shall not be commenced (including any demolition or site clearance) until such time that a further bat survey has been carried out and the results of this further survey together with any recommended works and timescales have been submitted to and approved in writing by the Local Planning Authority. The survey shall be based on the recommendations contained within the Noctural Bat Survey report (dated 12th July 2017) by Ram Sanderson and according to guidelines in Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists Good Practice Guidelines (3rd edition). The Bat Conservation Trust. The development shall thereafter proceed in full accordance with the approved details and timetable.
Reason:- In the interests of nature conservation.

27. The development hereby permitted shall not be commenced (including any site clearance) until such time as an EcMP (Ecological Management Plan) has been submitted to and approved in writing by the Local Planning Authority, giving details of proposed creation, maintenance, management and development, including timescales and delivery mechanisms, for all new landscaping and wildlife enhancements across the site. The plan must include all avoidance, mitigation and compensation measures to address impacts on legally protected species.
This shall include full and accurate locations of proposed new features for breeding birds and bats; technical specifications, timescales and phasing for the creation of any new wildlife features; 5 year establishment and aftercare prescriptions for any

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newly created wildlife features; landscaping with plants that will benefit pollinating insects, and therefore provide a food source for foraging for bats and birds; and a minimum 20 year maintenance and management operations for all planting, or artificial bat or bird breeding sites.
The EcMP must specify that the demolition of structures is to be carried out carefully by hand to avoid potential impacts on bats. If bats are found work shall stop and an ecological consultant licensed by Natural England should be contracted to draw up a mitigation plan.
To avoid impacts on breeding birds a check for breeding birds shall be carried out before works are carried out by a suitably qualified ecological consultant, as detailed in the EcMP. If nesting birds are located work shall cease until nesting is completed and fledged young have departed the site.
Multiple nesting opportunities for swift and house martins shall be provided within the development, and the exact location and design shall be specified within the EcMP. Details of how swifts will be attracted to breed in created features shall be specified. Methods, timescales, persons responsible for work shall be detailed with the EcMP.
Lighting design must allow bats or breeding birds to exhibit undisturbed behaviour patterns, and must not be directed away from created roosting or breeding sites.
The development shall be carried out fully in accordance with the approved EcMP and timescales therein
Reason:- In the interests of biodiversity enhancement

Archaeology and recording
28. Prior to the commencement of development (including demolition and site clearance) hereby permitted, a written scheme of archaeological investigation ('the scheme') shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the programme of archaeological works to be carried out within the site, including a Level 3 Recording survey (Historic England – Understanding Historic Buildings – A Guide to Good Recording Practices May 2016 (or any other similar or replacement guidance), post-excavation reporting and appropriate publication and interpretation. The scheme shall thereafter be implemented in full in accordance with the approved details.
Reason:- In the interests of recording the historic environment.

Occupancy Age limit
29. No apartment shall be permanently occupied by any person under the age of 60, other than a spouse or partner of such persons being over the age of 55.
Reason:- To define the permission, to meet an identified need for elderly persons accommodation and in the interests of highway safety

Air Quality

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30. Prior to the first occupation of any of the ground floor units adjacent to Buxton Road, NOx filters shall be installed on the inlets to the ventilation system, details of which shall have been previously approved in writing by the Local Planning Authority. The approved NOx filters shall be fitted and maintained in accordance with manufacturer's instructions and remain in place unless and until such time that it can be demonstrated to the Local Planning Authority by way of further monitoring that there is no longer a potential breach of the AQ Objectives for NO_2 for any of the ground floor units adjacent to Buxton Road and that the Local Planning Authority have provided their written approval of the monitoring assessment and given their written agreement to the removal of the NOx filters.
Reason:- To protect the local residents from air pollution and breaches in local air quality objectives for Nitrogen dioxide

31. The existing 'Brunswick Street' name plate shall be re fixed onto the retained Brunswick Street gable before the development is brought into use.
Reason:- In the interests of the historic character of the area

32. The car park hereby approved shall provide charging points for electric cars and mobility scooters details of which shall be previously agreed with the Local Planning Authority in writing and installed prior to the development first being brought into use
Reason:- In the interests of carbon saving

33. No development (excluding demolition and site clearance) shall commence until details of the proposed sub station and means for its enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details
Reason:- In the interests of the character and appearance of the area.

Informative(s)

1. A scheme has been negotiated which is considered to be a sustainable form of development to conform with the provisions of the NPPF.

2. In respect of Condition 3, the expectation is for high quality materials including Staffordshire blue plain clay tiles or slates for lower pitches

3. The conditions requiring reinstatement of redundant dropped crossings, removal of redundant channels and construction of the bellmouth access shall require a Minor Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a link to a Minor Works Information Pack and an application form for the Minor Works Agreement. Please complete and send to the

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address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street,
STAFFORD, Staffordshire ST16 2DH. (or email to nmu@staffordshire.gov.uk)

http://www.staffordshire.gov.uk/transport/staffshighways/licences/

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

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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.

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.