

Penny Smith
Gladman Care Homes Ltd
Gladman house Alexandria way
Congleton
Cheshire
CW12 1LB

Mrs Smith

Application no: SMD/2017/0083

Determined on: 29th November 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:

Compton Mill Compton Leek Staffordshire ST13 5NJ

Description of Development:

Proposed residential accommodation with care, (use Class C2) comprising 57 apartments for persons aged 55 and over with communal areas, associated landscaping, access roads, car parking, bin stores and services

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 accordance with the following submitted plans: 03840 P2 101, 102A, 103A, 111A, 112A, 113A, 114, 115A, 121A, 122A, 123A, 124A, 125A, 126A, 131A, 132A, 133, 141A, 142 and 151.

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

3. Notwithstanding the details submitted with the planning application and shown on the submitted plans, the development hereby permitted shall not be commenced until samples of all roof tiles, facing materials (including contrasting render panels and attic banding) and hard surfaces 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 and be retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory and to protect the setting of the adjacent Listed Building and Conservation Area.

4. Notwithstanding details shown on the submitted plans the development hereby permitted shall not be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority;

a) Full details of the proposed windows and doors including materials (timber or metal and not UPVC), finish/colour and sections of the proposed frames at a scale of 1:20;

b) Recess depth of door and window frames;

c) Window head and cill details

d) An assessment of existing stonework to be retained and reused in the development

e) Decorative banding detail

f) Eaves and verge detail and

g) Detail showing how the retained stair tower will attach to the new building

The development shall be carried out strictly in accordance with the agreed and approved details and be retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory and to protect the setting of the adjacent Listed Building and Conservation Area.

5. Prior to the commencement of development a full Schedule of Repair for the stair tower (including its internal features and stairs) which is to be retained as shown on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. The agreed works shall be carried out before the building is first brought into use.

Reason:- In the interest of the historic character and appearance of the area

6. Prior to commencement of site demolition work an emergence bat survey following

Colins, J.(ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition), The Bat Conservation Trust shall be carried out according to the survey criteria for low potential bat roost building structures. The activity survey results recorded shall be submitted to and agreed in writing by the Local Planning Authority, along with details of any further requirements and any actions to be implemented as being necessary in response to the survey results with timescales. . The development shall be carried out strictly in accordance with the approved details/timescales.

Reason:- To ensure appropriate protection for bats as European Protected Species

7.Prior to the commencement of development (excluding demolition and site clearance) details of the following shall be submitted to and approved in writing by the Local Planning Authority together with a timetable and details of persons responsible for installation, maintenance of the nest and roost sites;

- Integral nest sites within the fabric of the building for breeding Swift and House Martin and

- Integral roosting sites for bats within the fabric of the building

The development shall be carried out strictly in accordance with the approved details

Reason:- In the interests of biodiversity enhancement

8.Unless prior permission has been obtained in writing from the Local Planning Authority, 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.

9. 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 the day time expressed as LA90 (1 hour) (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 or the prevailing standard if updated.

Reason:- To protect the local amenities from noise.

10. Development (excluding site clearance and demolition) shall not commence until a scheme for protecting the proposed residential units from both external noise and the internal transmission of noise between individual residential units, has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard 8233:2014 or the prevailing standard if updated (Guidance on Sound insulation and noise reduction for buildings) and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and less than 55 dB LAeq in outside areas. The development shall be carried out strictly in accordance with the agreed scheme. On completion and prior to first occupation, tests shall be carried out to verify compliance with this condition. A report shall be produced containing all raw data and showing how calculations have been made and submitted to the Local Planning Authority for its written approval.

Reason:- To protect occupiers from noise and safeguard their residential amenities.

11. Prior to first occupation details of all ventilation and filtration equipment to be installed to suppress and disperse fumes and/or smell created from cooking activities on the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall thereafter be installed and operated and maintained in accordance with manufacturer's instructions for as long as the use continues. Details shall include outlet height which shall be at least 1 metre above ridge height of the nearest building.

Reason:- To protect the local amenities of the local residents by reason of odour

12. Development (excluding demolition) shall not commence until a further 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 persons and a written report of the findings shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The report of the findings shall include;

a. A further survey of the extent, scale and nature of any potential contamination;

b. A detailed risk assessment of all known site contaminants based on the potential risks to:

- Human health;
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
- Adjoining land;

- Ground and surface waters;

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11.

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.No development (excluding demolition) shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:

- a. An appraisal of the remediation options and proposal of the preferred option(s);
- b. A remediation strategy giving full details of remediation objectives and remediation criteria;
- c. A timetable of works and site management procedures;
- d. A validation plan providing details of the data that will be collected in order to demonstrate that all the works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme 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.

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.

14.The approved remediation scheme must be carried out in accordance with its recommendations and approved timetable of works prior, unless otherwise agreed in writing by the Local Planning Authority. Prior to occupation of the development , a validation report demonstrating completion of the 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 validation 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 longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the validation plan, and for the reporting of this to 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

15. 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 12 and, where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 13 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

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

16. No top soil or fill material 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 agreed in writing by the Local Planning Authority prior to the soils being imported onto site. 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 validity evidence submitted to and approved in writing to by the Local Planning Authority before the soil is brought onto site.

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

17. The development (including demolition and site clearance) hereby permitted shall not take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-

- I. A scheme to minimise dust emissions arising from demolition/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.
- II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
- III. a scheme for recycling/disposal of waste resulting from the demolition/construction works;
- IV. The arrangements for prior notification to the occupiers of potentially affected properties;
- V. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. The parking of vehicles of site operatives and visitors;
- VII. The loading and unloading of plant and materials;
- VIII. The storage of plant and materials used in constructing the development;
- IX. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- X. Details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

The development shall be carried out in accordance with Construction and Environmental Method Statement.

Reason: To protect the amenities of the area

18. Before the proposed development is first brought into use, visibility splays of 2.4m X 25m shall be provided at the proposed access to Duke Street in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The visibility splays shall thereafter be kept free of all obstructions over a height of 600mm above the adjacent carriageway level for the life of the development

Reason:- In the interests of highway safety.

19. 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 and approved surfacing details. These areas shall be retained as unobstructed areas for the life of the development. Parking bays shall be clearly delineated in accordance with Layout plan No 03840-P2-103A

Reason:- In the interests of highway safety.

20. The development hereby permitted (excluding demolition and site clearance) shall not be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority

- Replacement and repositioning of the existing streetlight in the proposed Duke Street access and any consequent adjustments to lighting provision;
- Re-fixing of existing historic 'Cornhill Street' name plate, currently affixed to the existing building in an appropriate location

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

Reason:- In the interests of highway safety.

21. Before the proposed development is brought into use the existing accesses made redundant as a consequence of the development hereby permitted by this consent, and as stated in paragraph 3.2 of the Transport Statement dated February 2015 shall be permanently closed and the access crossings reinstated as footway with full height kerbs in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of highways safety.

22. The development hereby permitted (excluding demolition and site clearance) 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 building(s), have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved levels and there shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

23. The development hereby permitted (excluding demolition and site clearance) shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The plans for surface water shall include outfall from parking, turning and service areas. The scheme shall thereafter 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 the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and in the interests of highway safety.

24. Before the commencement of development (excluding demolition and site clearance) a landscaping scheme shall be submitted to and approved by the Local

Planning Authority. 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.

25. Prior to first occupation of the development hereby approved details of measures to restrict access to the proposed car park (accessed from Duke street as shown on the approved drawings) to residents, staff, visitors, deliveries and authorised personnel only shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the agreed details for the life of the development

Reason:- In the interests of highway safety.

26. No development (excluding demolition and site clearance) shall commence until such time that a scheme to improve pedestrian crossing facilities (to include motor scooters) to and from the application site across the road known as Compton have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented before first occupation of the development hereby approved.

Reason:- In the interests of accessibility and pedestrian safety.

Informative

1. This is considered to be a sustainable development which meets the provisions of paragraphs 186-187 of the NPPF

2. This permission should be read in conjunction with the Unilateral Undertaking 27th November 2017 which restricts occupation to persons aged 55 years and over and in need of care.

3. You are reminded of your responsibilities under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 which require you to identify the impacts of the development in respect of any protected species that may inhabit the site. This may lead to a requirement for a protected Species Licence to be obtained before the proposed development can take place. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

4. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

5. The existing dropped crossing to the site shall be reinstated to footway with full height kerbs in accordance with drawings to be submitted. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact 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)

6. The lighting column in the access will need to be relocated by SCC PFI contractor Eon. It may be that adjacent columns will also need to be relocated or lanterns replaced to provide adequate street lighting coverage. This will be at the developers expense and extent of works should be established at an early stage.

Please contact lightingforstaffordshire@eonenergy.com or highways@staffordshire.gov.uk or 0300 111 8000.

X *B.J. Haywood*

Signed by: Ben Haywood

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 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.

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.