STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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

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ST10 1NP

Application no: SMD/2017/0847

Determined on: 9th March 2018

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:
17 19 DAISYBANK NURSING HOME LEEK ROAD CHEADLE STAFFORDSHIRE ST10 1JE

Description of Development:
Change of use of former care home to serviced offices (B1a)

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 91(1) of the Town and Country Planning Act 1990 (As Amended)

2.The development hereby permitted shall be carried out in accordance with the

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following approved plans:
AL (0) 01, 02, 03, 04E, 05A, 06A, 07, 08,09.10A, 11A, 12, 13, 14A
ST 16746-L-001
ST 16746-L-002 Rev A
Schedule of Repairs (Hewitt and Carr Architects)
Arboricultural Report (Tree Heritage) Ref THR17-142
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3.The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

4.The development hereby permitted shall not be brought into use until the access at the site entrance has been widened in accordance with the approved plan 00742_AL(0)04 E
Reason:-To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

5.The development hereby permitted shall not be brought into use until details of the surface water drainage from parking areas including outfall has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage from parking areas shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason:-To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

6.Notwithstanding any indication on the plans hereby approved, no trees or shrubs shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved by the Local Planning Authority. There shall be no removal of any trees or shrubs during the bird nesting season (nominally March to August inclusive), unless otherwise agreed in writing by the Local Planning Authority and in this case only following careful inspection by a competent person to establish that such trees or shrubs are not in active use by nesting wild birds and the results of the inspection have been submitted to the Local Planning Authority
Reason-In order to protect trees in the interests of the charcter and appearance of the Conservation Area and the setting of the listed building and in the interests of biodiversity

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7.Any mature tree to be removed or to have substantial crown pruning operations carried out shall first be carefully inspected for the potential to provide bat roosting opportunities and the results of the inspection have been submitted to the Local Planning Authority. Any tree which has such potential (which could include cavities, splits, decay pockets, hollow stems or branches, areas of loose bark, dense ivy cover or dense epicormic shoots) shall be subject to a further detailed and if necessary climbing inspection by a licensed bat worker immediately prior to felling or pruning, and all felling or pruning of such trees shall take place in the presence of the bat worker who can then immediately advise on appropriate measures if bats are discovered during dismantling, felling or pruning operations.
Reason:- In order to protect bats, a European protected species.

8.Before the commencement of any of the external ground works hereby approved (including any demolition, site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority (LPA). Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.
Reason:- In order to protect trees during development work

9. The proposed overflow car park area and access to the rear (west) of the building shall be constructed only in full accordance with the specification and details of the Cellweb and Turfmesh root protection systems and timber edging boards shown on the Wardell Armstrong “Hardworks Overview Plan” Drg No. ST16746-L-002 Rev A, and shall be constructed under arboriculturalist supervision fully in accordance with suppliers’ guidance and completed prior to any vehicular access onto this part of the site.
Reason:- In order to protect trees during construction of the car park and the access to it.

10 The planting scheme shown on Wardell Armstrong Proposed Planting Plan Drg. No. ST16746-L-001 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, shrubs and grasses 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 secure the landscping scheme in the interests of the external finish of the development, the character and appearance of the Conservation Area and the setting of the Listed building

11. Notwithstanding the approved drawings, the development hereby permitted shall not be brought into use until details of the acoustic fencing shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority. The approved fencing shall subsequently be installed before the development hereby approved is first brought into use and thereafter be retained for the life of the development.
Reason:- To protect neighbour amenity

12. The development hereby permitted shall not be used other than between the hours of 0730 and 1830 hours Monday to Friday and at no time on Sundays or Bank Holidays.
Reason:- In the interests of residential amenity

13. 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.

14. Any machinery, plant or equipment including air conditioning 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

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15. Before the development hereby approved is brought into use a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be installed before the development is first used.
Reason:- In the interests of amenity, the setting of the Listed building and the character and appearance of the Conservation Area.

Informative

1.Amendments have been secured during the processing of the application to secure a sustainable form of development whcih complies with the National Planning Policy Framework

2. It should be noted that other than trees denoted as T17, T18, T19 and T20 in the Tree Heritage Ltd Arboricultural report reference THR17-142 submitted with the planning application, all trees identified in this report are protected either by Tree Preservation Order or by virtue of their location within the Cheadle Conservation Area, or both. Unless directly required to physically accommodate the implementation of the planning permission hereby granted, or as indicated by the Wardell Armstrong Proposed Planting Plan Drg. No. ST16746-L-001 hereby approved, this planning permission does not authorise any work to these protected trees, and specific consent following separate application to the local planning authority under the terms of the Tree Preservation Order or notification in accordance with Conservation Area procedures would normally be required to carry out any such work, other than where specified as exempt under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

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 BControl@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.
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