STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr Wooliscroft
C/o Agent

Application no: SMD/2017/0291

Determined on: 18/04/2018

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:
Britannia Works, West Street, Leek, Staffordshire ST13 8AF

Description of Development:
Conversion and alteration of building to form 3no. townhouses.

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 and subject to the following conditions and/or modifications:-

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

2018-2327-03 (Joinery Details);
Rev E (Proposed Elevations, Plans, Location Plan, Block Plan);
6792-1 (Plans as Existing).

Reason:- For the avoidance of doubt and in the interests of proper planning and in accordance with the National Planning Policy Framework.

3. Notwithstanding the above approved drawings and prior to the commencement of works on site, a detailed schedule of repairs for all first floor windows shall be submitted to and approved in writing by the Local Planning Authority. The schedule of repairs shall include details of the frosted/obscure glazing to be inserted into the lower half of the windows within the western facing elevation. The agreed works shall be carried out in strict accordance with the approved details, completed in full prior to first occupation. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in the building unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:- In the interests of visual and neighbour amenity.

4. Prior to the commencement of development joinery details for all ground and second floor windows shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the type of frosted/obscure glazing to be inserted into the lower half of the windows within the western facing elevation at second floor level. The development shall then be carried out in full accordance with the approved details, completed prior to first occupation. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in the building unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:- In the interests of visual and neighbour amenity.

5. All garage doors to be inserted shall be in accordance with the details contained within the accompanying 'Garador Technical Support' and 'Garador Linear Small Designs' specification documents dated 10/04/2018. The Garage doors shall be finished in anthracite grey.
Reason:- In the interests of good design and in accordance with the applicant's intentions.

6. Prior to the commencement of works on site details of any vents and ducts shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details prior to first occupation of the development.
Reason:- In the interests of visual appearance.

7. Any external facing and roofing materials to be used shall match in colour, form and texture those fo the existing building and there shall be no variation without the prior consent in writing of the Local Planning Authority.
Reason:- To ensure that the works harmonise with the existing development.

8. All garage doors shall be remotely controlled, roller shutter doors to be inserted in accordance with the relevant roller shutter door details contained within the accompanying specifications entitled 'Linear Small Designs' and 'Technical Support' from Garador, dated 10/04/2018 and shall be of colour anthracite grey. The remotely controlled, electrically operated overhead roller shutter door shall thereafter be maintained in full working order and retained for the lifetime of the development.
Reason: - In the interests of good design, highway safety and in accordance with the applicant's intentions.

9. 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.

10. The development, including any demolition 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. the arrangements for prior notification to the occupiers of potentially affected properties;

II. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

III. 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 phase;

IV. a scheme for recycling/disposal of waste resulting from the construction works;

Once approved, all relevant activities on the site shall be carried out in accordance with

Construction and Environmental Method Statement throughout the course of the development. Any alteration to this Method Statement shall be approved in writing by the Local Planning Authority prior to any deviation from it.
Reason:- In the interests of neighbour amenity.

11. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. If after consultation with the Local Planning Authority the contamination is considered to pose a possible risk, to human health, buildings and other property and the natural and historical environment (receptors), development shall not commence further until a site investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority. If the contamination investigation and risk assessment indicates that potential risks exist to receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to the receptors has been prepared, and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the remediation scheme and implemented in full prior to first occupation of the development.
Reason:- In the interests of amenity and to prevent risks to all receptors.

12. The development shall not be occupied until a validation report from a suitably qualified acoustician has been submitted to and approved in writing by the Local Planning Authority. The validation report shall confirm the submitted scheme including boundary treatment addendum (MARTEC: 20180220 8091 Leek SI.doc) has been implemented in its entirety.
Reason: To protect future occupiers from noise and safeguard their residential amenities.

13. Work to buildings shall be carried out carefully by hand to avoid impacts on bats and the following method shall be followed;
- If tiles are removed they shall be lifted away from the roof and not slid or twisted to avoid injuring any bats roosting beneath the tiles;
- Ridge tiles shall be lifted without sliding so as to avoid injuring any bats roosting beneath them;
- If a bat is found under a roof tile or ridge tile, the tile shall be carefully replaced and work in that area stopped until such time as a licensed bat worker can attend the site; The bat shall not be handled except by a licensed bat worker.

Reason:- To avoid impact upon bats.

14. Prior to first occupation of the development hereby approved, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details.
Reason:- in the interests of amenity and to control any impact that the lighting may have upon protected species.

15. The development shall include small access points suitable for bat access and/or wall mounted bat boxes (2FR Schwegler Bat Tube" style bat boxes). Prior to the commencement of development details of the designs, exact locations, long term maintenance and persons

responsible for installation must be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details and completed in full prior to first occupation of the building.
Reason: - In the interests of protected species and biodiversity enhancement.

16. Nesting sites for swifts shall be incorporated into the development and appropriate mechanisms shall be provided to attract swifts to use the nesting boxes. Prior to the commencement of development details of the designs, exact location, long-term maintenance and persons responsible for installation must be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details and completed in full prior to first occupation of the building.
Reason:- To provide biodiversity enhancement for a red listed species of conservation concern.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) no door, window or other opening shall be formed in the extension hereby permitted other than those shown on the approved plans unless a further permission has first been granted on application to the Local Planning Authority.
Reason: To protect the character and appearance of the building and residential amenity.

18. Prior to the commencement of development details of the rainwater goods to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter retained.
Reason: To protect the character and appearance of the building.

Informatives

1. Whilst considering the application the Council sought amendments to the proposals to ensure that the proposed conversion was acceptable from a visual impact, highways and environmental health perspective. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the National Planning Policy Framework.

2. This Permission does not confer on the Applicant the right to build on or over land owned by a third party without the third party's consent. You should therefore seek the prior agreement of your neighbour(s) before entering their land.

3. Attention is drawn to the requirements of The Party Wall Etc Act 1996 in relation to development close to the boundary of the application site.

4. The access crossings to the site from West Street and Wellington Street shall be constructed in accordance with the submitted details and in accordance with SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack'

and an application form for a dropped crossing. Although the pack refers to dropped crossings, a S184 notice is required for an access leaving the carriageway and crossing highway verge. Please complete and send to the 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/

5. All bats are protected from harm under the Wildlife and Countryside Act 1981 as amended and Conservation of Habitats and Species Regulations 2010. It is an offence to recklessly cause harm to a bat. Building materials, membranes used in roofing construction should not be of a type to cause injury to bats.

6. 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 and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. 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. Planning consent for a development is not a defence against prosecution under the Wildlife and Countryside Act 1981.

7. The Conservation Habitats and Species Regulations 2010 affords protection to all European protected species including bats. It is an offence to intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection and/or intentionally or recklessly disturb any wild bat whilst it is occupying a structure or place that it uses for shelter or protection.

8. 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), Professional Practice Guidance on Planning & Noise: Residential Development (IOA and ANC 2014), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

"" Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

"" During any demolition and construction activities (including landscaping) the contractor shall 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

"" 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 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.

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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 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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.