STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

James Hollyman
Harris Lamb Limited
75-76 Francis Road Edgbaston
Birmingham
B16 8SP

c/o agent

Application no: DET/2018/0012

Determined on: 24nd May 2018

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER) (ENGLAND) 2015

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED APPROVED

Staffordshire Moorlands District Council hereby **APPROVE** this application for **DETERMINATION** for

Proposed demolition of various former industrial buildings at Fole Dairy Uttoxeter Road Uttoxeter

in accordance with the submitted application, details and accompanying plans listed below for the following reasons:-
satisfactory details of the method of demolition and proposed restoration of the site have been provided subject to the following conditions:-

1.The development hereby permitted shall be carried out in strict accordance with the following approved plans and submitted documents/details:-

-Location Plan 100B;
-Revised aerial showing extend of Phase 1 Demolition R150269 dated 18-05-18
-E-mail from JBA Consulting (Arboriculturalist) dated 7th February 2018
-Phase 2 Site Investigations, Lee Remediation 13th March 2018
-E-mail from James Hollywell dated 10th May 2018 Proposed site restoration

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

2. Notwithstanding the submitted documents/details, 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, demolition operations,) 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.

3. Any waste material associated with the demolition shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment
Reason: To protect the amenities of the area.

4. The development hereby permitted shall be carried out in strict accordance with the submitted Method Statement and Risk Assessment, EDR Demolition dated 1st March 2018 Reference S/18048/PH1/JM (1/03/18).

Reason**:** To protect residential amenity, the amenity of the area, protected species and to prevent pollution of air and water from noise, dust and contaminants.

5. The development shall be carried out strictly in accordance with the following:-

- Internal/External Bat survey, February 2018, Dr Stefan Bodnar including the precautions in respect of breeding birds set out in Section 4
- Bat emergent survey May 2018, Dr Stefan Bodnar
- E-mail from Dr Stefan Bodnar (Ecologist) dated 4th May 2018
- Dusk Bat Activity survey dated May 2018 prepared by Dr Stefan Bodnar including the avoidance and mitigation measures set out on page 12.

Reason:- To safeguard protected species.

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X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

INFORMATIVES

1. If any pollution of the River Tean occurs during operations these should be reported immediately to the Environment Agency's 24/7 hotline on **0800807060**. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

2. 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/

3.Prior to operations commencing on site, the Pollution Control or Environmental Health Department of the local authority in whose area the mobile plant is operating and Staffordshire Moorlands District Council, should be informed of:

a. The location and dates when the mobile plant is expected to start operating, and,
b. the serial numbers of the mobile plant involved.

4. 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)

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NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section at buildingcontrol@staffsmoorlands.gov.uk

2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.

3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
   (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
   (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
   (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
   (b) Variation to the approved plans will require the submission of a new planning application.

6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

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8. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

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

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

11. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

12. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
13.