STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Mr David Byatt
Byatt Oliver Associates
Unit 1B
Whitebridge Way
Whitebridge Industrial Estate
Stone
ST15 8LQ

Truck and Marine Cranes Ltd
Tower Crane Drive
Brookhouse Industrial Estate
Cheadle
Staffordshire
ST10 1FB

Application no: SMD/2018/0704

Determined on: 25th January 2019

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:
Adderley Mill, Adderley, Cheadle, Staffordshire, ST10 2NJ

Description of Development:
Demolition of existing building and the erection of a portal framed building for warehouse and welfare facility, ancillary to the existing Industrial Unit. Class B2/B8

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 drawings numbered 5345-002 Site Layout Plan, 5345-003 Floor Plans and Elevations, and 5345-004 Site Location Plan.

Reason:- For the avoidance of doubt.

3. Prior to the use of any facing or roofing materials details of types and colours of the

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external cladding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory.

4. Within 3 months of the commencement of development on site, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed prior to first occupation of the approved development or in accordance with a timetable agreed in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity and the character and appearance of the Green Belt.

5. No development shall take place until a scheme of intrusive site investigations has been submitted to and approved in writing by the Local Planning Authority. A report of findings arising from the intrusive site investigations including where necessary a scheme of remedial works shall be submitted to and approved in writing by the Local Planning Authority before any development begins. Thereafter, the site shall be remediated in accordance with the approved measures before development begins.

Reason:- To ensure that risks from land instability and mining related hazards to the future users of the land and neighbouring land are minimized and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and the general public.

6. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operation 07:30 - 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 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:- In the interests of residential amenity.

7. In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), is found is any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not recommence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and approved in writing by the Local Planning Authority.The approved remediation scheme shall be carried out prior to the first occupation of the development.

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Chief Executive

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in 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.

8. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations (residential) when the light (s) is (are) in operation.

Reason: To protect the local amenities of the local residents by reason of excess of luminance.

9. The machinery, plant or equipment including 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.

10. No power tools or machinery which are audible at the nearest noise sensitive receptor shall be used outside the fabric of the building.

Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

11. The premises shall not be used except between 08:00 hours and 18:00 hours Mondays to Friday, 08:00 hours and 13:00 hours Saturday and at no time on Sundays and Bank Holidays.

Reason: To avoid the risk of disturbance to neighbouring dwellings during unsocial hours.

12. The development hereby permitted shall not be brought into use until the visibility splay of 2.4m x 36m to the south has been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level.

Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy policy DC1; in the interests of highway safety.

13. Notwithstanding Condition No. 2, prior to the installation of any external cladding to the building, a scheme for amended fenestration to the roadside (north-east) facing elevation

of the building 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.

Reason:- To ensure that the external appearance of the development is satisfactory.

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. In the event that bats or bat droppings are encountered during the demolition work, all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the specialist advice obtained and with due reference to the law including the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981.

3. 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. As this development involves 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.

4. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

5. 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/

6. Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

7. 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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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 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.