STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

C/o Agent

Application no: SMD/2019/0616

Determined on: 20th December 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:
Old Abbatoir, Cattle Market, Junction Road, Leek, Staffordshire

Description of Development:
Demolition of former slaughterhouse and erection of building to provide three business units (providing for a flexible use of the proposed units, falling within either Class B1, B2 or B8 of the Use Classes Order 1987)

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 permitted and described above shall only be carried out in complete accordance with the drawn and written details that are shown on the revised 'LOCATION AND BLOCK' plan numbered 2019-2447-03A and the 'FLOOR PLAN AND ELEVATIONS' plan numbered 2019-2447-02B that were submitted with the application.

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

3. Any of the three units to be provided within the development shall be used for any purposes that would fall within one of either classes B1, B2 or B8 of the Use Classes Order, and once a unit has been used for such a purpose, the unit may, subsequently change use to another use falling within one of those use classes.

Reason:- To permit a flexible use of the units and certain changes between different uses that might otherwise require planning permission.

4. Before the development permitted and described above is brought into use the parking spaces shown on plan numbered 2019-2447-02B shall be provided in accordance with that plan with the inclusion and implementation of the planting strips as detailed. Each of the parking spaces shall be provided with a charging point for an electric vehicle. The parking spaces, charging points and the planting shall thereafter be retained and maintained, with the spaces made availabe for the parking of vehicles free from obstruction throughout the life of the development.

Reason:- To ensure suitable parking is provided within the site and an acceptable appearance is maintained.

5. No development, shall take place until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed in writing with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.

i. If the site risk assessment (i) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to mitigate the identified risks and ensure the site is remediated to a condition suitable for the intended shall been be submitted and approved in writing by the Local Planning Authority.

ii. The agreed remediation strategy (ii) shall be adhered to throughout the development.

iii. Following completion of the site remediation and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the Local Planning Authority.

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.

6. 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 are is found at 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.

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.

7. No development, including demolition hereby permitted shall 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;

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 Plan shall be approved in writing by the Local Planning Authority prior to any deviation from it.

Reason:- To protect the amenities of the area from dust

8. There shall be no artificial lighting installed on the development permitted or anywhere within the site, without details of that lighting being first submitted to and approved in writing by the Local Planning Authority. The installation of artificial lighting 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 site boundary/ies shall be used outside the fabric of the buildings.

Reason:- To protect the local amenities from noise

11. There shall be no deliveries to the site between the hours of 20:00 and 07:00 hours Monday to Saturday inclusive and not between the hours of 20:00 and 10:00 on Sundays and Public or Bank Holidays.

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

12. Any noise emitted from the premises must not result in the background noise level (L90) being exceeded by more than 5 dBA when measured and corrected in accordance with BS 4142: 2014.

Reason:- To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

13. At any time during and following the completion of the development all exterior lighting installations shall be erected only in accordance with the protocols contained in the Institute of Lighting Engineers document ""Guidance for the Reduction of Obtrusive Lighting"" (2005) and the Bat Conservation Trust's ""Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting"" (2014).

Reason:- to minimise disturbance by artificial light to protected species including bats and minimise sky-glow across the site.

14. No development or construction works shall be undertaken during the breeding bird season of March to August. If this timescale cannot be achieved, an inspection report for active nests undertaken no more than 24 hours before works commence must be submitted to the Local Planning Authority and approved in writing.

Reason:- To avoid the harm and disturbance to protected species.

15. The development shall not be brought into use until two Robin and Wren FSC Nest Boxes and two Blackbird FSC Nest Boxes have been installed on the eastern elevation of the building post construction.

Reason:- To enhance the available habitat of protected species.

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16. The car park hereby approved shall provide a minimum of 3 charging points for electric cars and/or vans details of which shall be previously agreed with the Local Planning Authority in writing and installed prior to the development first being brought into use
Reason:- In the interests of carbon saving

Informative

1. The application is for a sustainable form of development which complies with the development plan and the provisions of the National Planning Policy Framework. In the spirit of paragraph 38 of the NPPF amendments were secured to reduce the impact of the scheme.

2. You are reminded of your responsibilities under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 in respect of any protected species that may inhabit the site including bats. As a result of the survey information submitted it has been judged unlikely that protected bat species would be at risk as a result of this development. In the unlikely event that bats or bat droppings are encountered prior to or during the development all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the advice obtained. There may be a requirement for a Protected Species Licence to be obtained before the proposed development can continue. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

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 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.

4. If the landscaping shown on the approved plans becomes poorly maintained it should be removed and replaced by hardstanding.

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.

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.