STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Miss Natalie Hewitt
Hewitt & Carr Architects
17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Mr Bradeley
Sub 4 Health Centre Leek Road
Cellarhead
Staffordshire
ST9 0JQ

Application no: SMD/2020/0299

Determined on: 15/01/2021

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:
Sub-4 Health Leek Road Cellarhead Staffordshire ST9 0JQ

Description of Development:
Proposed erection of single storey commercial building (B1 light industrial) for the production of nytrceuticals products

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 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in complete accordance with the following approved plans: 00914 PL(0)01(1) & 00914 PL(0)02
   Reason: For the avoidance of doubt

3. The building hereby permitted shall be used solely for purposes falling within Class E(g) ii) and / or E(g) (iii) of the Town and Country Planning Use Classes Order 1987 as amended and for no other purpose including any other purpose within Use Class E.
   Reason: In the interests of amenity and having regard to the rural open countryside location of the site.

4. No development shall commence until details or samples of all external materials and finishes to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved details.
   Reason: To ensure satisfactory external colour, finish and appearance of the development hereby permitted and to comply with Policy DC1 of the adopted Staffordshire Moorlands Local Plan

5. Prior to the commencement of development detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds shall be submitted to and approved in writing by the Local Planning Authority. The approved features shall be permanently installed prior to the first occupation of the development hereby permitted and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.
   Reason: In the interest of biodiversity and to comply with Policy NE1 of the adopted Staffordshire Moorlands Local Plan

6. There shall be no removal of trees, shrubs etc between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds and the results submitted to and approved in writing by the Local Planning Authority. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.
   Reason: In the interest of biodiversity and to comply with Policy NE1 of the adopted Staffordshire Moorlands Local Plan

7. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the site indicating inter alia the number, species, heights of planting and positions of all additional trees, shrubs and bushes to be planted.
   Reason: In the interests of visual amenity and to comply with Policy DC1 of the adopted Staffordshire Moorlands Local Plan

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
   Reason: In the interests of visual amenity and to comply with Policy DC1 of the adopted Staffordshire Moorlands Local Plan

9. No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme, which shall be in place prior to the commencement of work. The approved protection scheme shall be retained intact for the full duration of the development hereby permitted and shall not be removed without the prior written permission of the local planning authority.
   Reason: To protect existing trees and other vegetation in the interests of visual amenity, and to comply with Policy NE2 of the adopted Staffordshire Moorlands Local Plan

10. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
    Reason: To protect existing trees and other vegetation in the interests of visual amenity, and to comply with Policy NE2 of the adopted Staffordshire Moorlands Local Plan

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. 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 commence 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 submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification

report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of 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.

12. No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

    I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday
    II. the arrangements for prior notification to the occupiers of potentially affected properties;
    III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
    IV. 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;
    V. a scheme for recycling/disposal of waste resulting from the construction works;
    VI. the parking of vehicles of site operatives and visitors;
    VII. the loading and unloading of plant and materials;
    VIII. the storage of plant and materials used in constructing the development;

    All works shall be carried out in accordance with the approved details. 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.

13. The building hereby permitted shall not be used except between the hours of 09:00 and 17:30 Monday – Friday. There shall be no working on Saturday, Sunday or Bank Holidays
    Reason: To protect the amenity of neighbouring occupiers.

14. Prior to the first occupation of the development hereby permitted 2no. electric vehicle charging points shall be provided within the site. The charging points shall be available for use by visitors and staff at all times for the lifetime of the development.
    Reason: In the interests of sustainable development.

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Informative

1.The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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

10. 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.

11. 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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