

Mr Rhodri Williams
Mango Planning & Development Ltd
Number Two Waterton Park
Waterton
Bridgend
CF31 3PH

Mr P Maclauchlan
Lodge Way House
Lodge Way
Northampton
NN5 7UG

Application no: SMD/2021/0518

Determined on: 19/10/2021

**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:

Halfords Broad Street Leek Staffordshire ST13 5NS

Description of Development:

Change of use to Class B8 (Storage or Distribution).

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 details as submitted in the application form and submitted specifications and as shown in drawings:

Block Plan E06

Site location plan E05

Proposed Floor Plan P01 rev 1

Proposed parking plan P02

Proposed elevations 1820834/ E03 sheet 1 /2 and 2/2 revised to show additional side delivery door

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. At no time during the use of the premises shall any external lighting be affixed or operated during the life of the development unless it has first been approved in writing by the Local Planning Authority or is separately permitted by grant of an advertisement consent.

Reason: In the interests of neighbour amenity and street scene

4. Opening hours shall be:

Monday to Saturday (including Bank Holidays) 07:00 to 20:00 hours; and

Sundays 09:00 to 17:00 hours

Reason: In order to protect the amenities of neighbouring occupiers.

5. The delivery and dispatch of goods to and from the site shall be limited to the hours of
07:00 - 23:00 hours Monday to Saturday;

09:00 – 17:00 Sundays and Bank Holidays

Reason: In order to protect the amenities of neighbouring occupiers.

6. The trade counter shall be implemented strictly in accordance with the TS Leek Proposed Floor Plan Drawing No: 1820834/ P01 rev 1 indicating the extent and location of the trade counter and shall be ancillary to the main use of the unit. The area occupied by the trade counter shall be no greater than the area shown on the approved plan.
than the area shown on the approved floor plan.

Reason: To ensure the development is carried out in accordance with the approved plans and to define the permission; for clarity and the avoidance of doubt.

7. The range and type of goods to be sold from the trade counter hereby permitted shall be restricted to the following: DIY, building and construction products, materials and tools, garden goods; furniture, carpets and floor coverings; camping, boating and caravanning goods; motor vehicle and cycle goods and bulky electrical goods. For the avoidance of doubt there shall be no sale of food, clothing or footwear (other than workwear).

Reason: To ensure the development is carried out in accordance with the approved plans.

8. There shall be no outside storage of goods or materials, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to protect the amenities of neighbouring occupiers and visual amenities of the area.

9. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason: To comply with NPPF Paragraph 112; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015) there shall be no additions /extensions or external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside the building on the site on the approved plans unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason: In order to protect the amenities of neighbouring occupiers, visual amenities of the area and heritage setting.

Informatives

1. Attention is drawn to the detailed advice of the Staffordshire Police (available on the web site) received in response to consultation with them on this planning proposal.
2. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. Amendments were agreed with the agent in the course of the determination in accordance with the approach to decision making as advocated in the National Planning Policy Framework at paragraph 38.

X 

Signed by: Jane Colley Signature

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.
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.