

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

Highfield Properties Ltd
10 Cawdry Buildings
Leek
ST13 6JP

Application no: SMD/2022/0253

Determined on: 19th December 2022

**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:

Station Works Station Street Leek Staffordshire ST13 8BP

Description of Development:

Full application for the erection of a business unit for class B2, B8 and E uses.

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 commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan and Block Plans: Dwg no 2021-2643-04 Rev B

Floor Plans and Elevations: Dwg no 2021-2643-03 Rev A

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. The materials to be used on the external surfaces of the development as indicated on 'Dwg No: 2021-2643-03 Rev A shall be implemented as indicated.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

4. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy construction 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 construction 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: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

5. 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. All waste transfer records shall be retained for inspection by officers of the Local Planning Authority;

Reason: To protect the amenities of the area during construction

6. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These shall be made available for inspection when required by officers of the Local Planning Authority

Reason: To protect the amenities of the area during construction

7. Before the development commences, a noise-mitigation scheme shall be submitted in writing and approved in writing by the local planning authority detailing measures that will be implemented to ensure that any noise associated with the development does not cause detriment to amenity or a nuisance, especially to those living and working in the vicinity. The scheme shall be designed to comply with the mitigation requirements of section 6 of the submitted noise assessment Peak Acoustics Ref. JP1810222NR dated 14/11/22. The

scheme shall be implemented prior to the first occupation of the unit hereby permitted and shall thereafter be retained.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning

8.The machinery, plant or equipment including air condition and ventilation systems ("machinery") 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 +A1:2019)(Method for Rating and assessing industrial and commercial sound)

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

9.Prior to the commencement of development, a scheme containing full details of arrangements for internal air extraction, odour control, and discharge to atmosphere from business operations, including any external ducting and flues, shall be submitted to and approved in writing by the local planning authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times unless otherwise agreed beforehand in writing with the local planning authority.

Reason: To protect the amenities of nearby residents and comply with policy.

10.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 when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

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

11.Unless prior permission has been obtained in writing from the Local Planning Authority the premises shall only be open between the hours 08.00 and 18.00 Mondays to Fridays and from 08.00 to 13.00 on Saturdays and at no times on Sundays, public and Bank Holidays.

Reason: To ensure that the reasonable residential amenities of adjoining properties are

adequately protected from noise pollution.

12. There shall be no deliveries to the unit except between the hours of 08.00 and 18.00 Mondays to Fridays and 08.00 and 13.00 hours on Saturday and at no time Sundays and Bank Holidays.

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

13. No power tools or machinery which are audible at the site boundary/ies shall be used outside the fabric of the building. No manufacture, repairs or maintenance of vehicles or products shall be carried out in the open air

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

14. Development shall not commence 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. If the site risk assessment indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use shall be 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 shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To protect the health of future occupiers and neighbours of the site from any possible effects of contaminated land

15. The unit hereby permitted shall be used only for uses falling within Use Class B2, B8 or Class E (g) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or equivalent to that / those Class(es) in any statutory instrument revoking and re-enacting that Order.

Reason: In accordance with Policies DC2 of the Staffordshire Moorlands Local Plan as other uses may have an unacceptable impact on neighbour amenity and/or the character and appearance of the area and to protect the vitality and viability of the town centre.

16. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plan 2021-2643-03A. 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 110; to comply with SMDC Local Plan policy DC1; in the interests of highway safety

17. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure satisfactory means of foul and surface water drainage.

18. The permitted use shall not take place other than within the building identified for the permitted use on the approved plans.

Reason: To ensure a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents

Informative

The Local Planning Authority has acted positively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework by assessing the proposal against relevant planning policies and all material considerations. The nature of the proposal has not necessitated any liaison with the applicant prior to determining to grant planning permission in accordance with the presumption in favour of sustainable development.

X *B.T. Haywood*

Signed by: Ben Haywood

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
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.
12. Domestic sprinklers
Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1
If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

13. Working smoke alarms correctly positioned in your home can save your life.

The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month.

Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.