STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr David Bailey
NJSR Chartered Architects LLP
57-59 Hoghton Street
Southport
United Kingdom
PR9 0PG

Mr Weston
Barnfield Road
Leek
Staffordshire
ST13 5QJ

Application no: SMD/2023/0441

Determined on: 13th December 2023

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:
Croda Chemicals Europe Ltd, Barnfield Road, Leek, Staffordshire, ST13 5QJ

Description of Development:
Solvent tank farm, charge room, access gantries and pipe bridge

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 hereby permitted and described above shall only be carried out in accordance with the following approved plans that were submitted with the application:
21541-B03-G-001269-A2 Site Proposed Location Plan-A1
6 21541-B03-G-001270-A2 Site Proposed Block Plan-Layout1 RESAVED A1 FINAL
21541-B03-E-410034-001-A2 - Solvent Tank Farm Area Proposed 3D Views
3 21541-B03-E-410038-001-A2 - Solvent Tank Farm Area Plan View
2 21541-B03-E-410037-001-A2 - Solvent Tank Farm Area Proposed Elevations
1 21541-B03-E-410033-001-A2 - Solvent Tank Farm Area Proposed Elevations

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

3. The development shall only be carried out using external facing and roofing materials and colours that are specified and detailed on the approved elevation plans listed at condition 2 above, and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works harmonise with the existing development.

4. The site shall only be used to store chemicals that are kept within storage facilities that have:

- secondary containment that is impermeable to both the chemicals and water,with no opening used to drain the system;

- a minimum volume of secondary containment at least equivalent to the capacityof the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest;

- all of their fill points, vents, gauges and sight gauges located within the secondary containment;

- all of their associated above ground pipework protected from accidental damage;

- all of their below ground pipework having no mechanical joints, except at inspection hatches and has either leak detection equipment installed or regular leak checks; and,

- all of their fill points and tank vent pipe outlets designed to discharge downwards into the bund.

Reason:- To ensure that the proposed development of a solvent tank farm does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved prior to the development being brought into use.

Reason:- To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

6. The rating level of sound emitted from [any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5 dB(A) between the hours of 07.00-23.00 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 23.00-07.00 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed upon in writing with the local planning authority.

Reason:- To protect the amenity of the locality, especially for people living and/or working nearby

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

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Informative

1. The storage of hazardous materials associated with this development will require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: https://www.gov.uk/environmental-permit-check-if-you-need-one. We also note that this site currently operates under permit reference: EPR/BT8155ID and that an application to vary the permit has not been received but is expected.

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. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraph 38.

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.

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.