STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Mrs Clare Lang
Architect – Director
Lang Architecture
35 Greenway Lane
Matlock
DE4 2QB

Mr Ryan Davies
c/o Architect/agent

Application no: SMD/2021/0841

Determined on: 6th August 2024

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:
Warehouse 2 – 4 Silk Street Leek Staffordshire ST13 6HX

Description of Development:
The conversion, alterations and extension of the two-storey former Warehouse and Silk Shade to create three 3-bedroom properties. plus a 2-bedroom detached dwelling in place of the former outbuilding.

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 the plans referenced as follows:
Plans and elevations LA-GP-0001 PL revision E
'Garage' Plans and Elevations LA-GP-0002-PL revision D
Site red edge on location and site plans on dwg 059-XP-0001
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. Prior to the commencement of development there shall have been completed and deposited with the Local Planning Authority (LPA) and with Staffordshire County Council Historic Environment Record an analytical record of the existing Listed structures (including internal and external) and the work and changes being undertaken comprising drawings, photographs and a written account in accordance with the English Heritage Understanding Historic Buildings: A guide to good recording practice Level 3 standard. The development hereby approved shall not commence until it has been confirmed in writing by the Local Planning Authority that the submitted historic building record has been accepted.
Reason: In the interests of recording and understanding the archaeological heritage of the site.

4. Prior to the commencement of development a full schedule giving details along with phasing sequence of all the repair, renovation and alteration works to be undertaken including work to walls including a method statement for structural propping at the outset of development, making good and repointing, work to floors, ceilings and roof structures and including cleaning of walls and including a repair schedule for windows and doors identified for retention shall be submitted to the Local Planning Authority and approved in writing and the works shall thereafter be undertaken in accordance with the details in the schedule as approved.
Reason: To safeguard the Listed Building structure during the works and in the interests of the appearance of the development including in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

5. Prior to the commencement of development and notwithstanding the submitted application documentation details including types and colours along with samples if requested of all new external-facing walling and roofing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details as subsequently approved in writing.
Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

6. Prior to the commencement of development and notwithstanding the submitted documentation details of all new windows and doors including frame dimensions, material finishes and depth of recess within the wall openings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details as subsequently approved in writing.
Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

7. Prior to the commencement of development details of the proposed floor levels shall be submitted to the Local Planning Authority and approved in writing and the development shall then be implemented in accordance with the levels details approved.
Reason: In the interests of proper planning and the integrity of the Listed Building.

8. Prior to the commencement of development drainage plans for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the development is first brought into use.
Reason: To ensure that the development is provided with a satisfactory means of

drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

9. Prior to the commencement of development and notwithstanding the submitted details and condition 2 (above) details of all landscaping including boundaries, surfacing, parking and turning areas shall be submitted to the Local Planning Authority and approved in writing and shall be completed in accordance with the design details as subsequently approved prior to the substantial completion of the development or in relation to each individual unit prior to its first coming into use whichever is the earlier.
Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its setting and Highway Safety.

10. Prior to the commencement of development, a Site-specific Noise Assessment shall be undertaken and the details shall be submitted to and approved in writing by the Local Planning Authority (LPA) along with details of a Sound Insulation Scheme which shall also be submitted to and approved in writing by the LPA and which shall be implemented in the development in accordance with the details as subsequently approved in advance unless otherwise agreed in writing of its coming into residential use. The assessment shall be undertaken in accordance with BS 4142:2014 and BS 8233:2014.
Reason: To protect the residential amenities of the future occupants of the application site from unacceptable noise affecting the living conditions.

11. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities of the development work shall be restricted to the following times of operations:

08:00 - 18:00 hours (Monday to Friday);
08:00 - 13:00 hours (Saturday)
No noisy working is permitted on Sundays or Bank Holidays.

In this instance a noisy 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.

12. 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 (LPA). The Construction and Environmental 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.
IV. The responsible person (e.g. site manager / office) who can be contacted in the event of complaint.
Once approved, all development on the site shall be carried out in accordance with the approved Construction and Environmental Method Statement and their shall be no variation

from the approved Statement unless otherwise agreed in writing with the LPA shall be approved in writing by the Local Planning Authority prior to any deviation from it.
Reason: To protect the amenities of the area and those of neighbouring residents from dust.

13. 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 continue 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 exist to any identified receptors, development shall not re-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, submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of protecting the residential amenities of the occupants of the site.

14. 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.
Reason: To protect the amenities of the area.

15. All rainwater goods shall be of metal to a profile the detail of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

16. No external flues or extractor equipment whatsoever shall be installed at the dwellings hereby permitted to be developed without the prior written consent of the Local Planning Authority.
Reason: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the Listed building and the visual amenities of the area.

17. All eaves and verges shall be formed from pointed masonry work up to the intersection with the roof slopes to match the existing structure without recourse to box work or barge boards.
Reason: For certainty and the avoidance of doubt in the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

18. A minimum of four nesting cavities specifically designed for use by Swifts shall be inserted into the eaves structure of the new-build elements of the development hereby approved in positions and to a specification which shall first have been approved in writing by the Local Planning Authority (LPA) shall be available for nesting use prior to the first occupation of the development and shall be so retained for the life of the development.

Reason: In the interests of biodiversity and specifically Swifts, a species largely dependent upon buildings for nesting sites.

19. All exterior lighting shall be installed only in accordance with the submitted Assessed Scheme of Lighting drawing SK-02 and there shall be no variation including no additional lighting unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interests of the appearance of the development including heritage and the amenities of the area.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no additional windows or any other openings shall be installed in any part of the development, unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason: To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

21. In relation to the detached new dwelling unit notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Classes A; B; C; D; E; F; G and H and/or Part 2 Classes A; B and C, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.
Reason: For the avoidance of doubt as the development will be within the curtilage of the Listed Building known as 2 to 4 Silk Street Listed as part of 16 to 18 Stockwell Street to enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, the integrity of the heritage assets and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

Informatives

1. Based on the submitted professional ecology assessment it is judged unlikely that bats will utilise the buildings as a place of rest or shelter. However bats are protected by law and in the event that bats or bat droppings are encountered during the development work, all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the specialist advice obtained and with due reference to the law including the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981.

2. 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, building alterations 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.

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3. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

• A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to any demolition work or interior changes. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/.

4. 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. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraphs 186-187.

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.

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.

13. 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).

14. 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.