

Mr Simon Goldstraw
Hewitt&Carr Architects
17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Mr Dukes
Brookhouses Industrial Estate
Cheadle
ST10 1PN

Application no: SMD/2024/0239

Determined on: 27/08/2024

**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:

Vulcan Refractories Brookhouses Industrial Estate Cheadle Staffordshire ST10 1PN

Description of Development:

Application for Removal or Variation of Condition 2
in relation to application SMD/2022/0350

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 approved shall be completed and maintained in accordance with the submitted amended plans and specifications as follows:-

01168 PL0(0)2 Rev E
01168 PL0(0)3 C
01168 PL0(0)4 D
01168 PL0(0)5 C
01168 PL0(0)7
220530-C2C-XX-XX-C-500-C06 Drainage Layout

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

2. Within three months of the date of the decision, an amended landscaping scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following details:

- Hard-surfacing

- Means of enclosure

Soft landscape details shall include:

- Planting plans

- Written specifications (including cultivation and other operations associated with plant and grass establishment)

- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate

- Implementation timetables

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area and the ecological value of the site.

3. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

4. Within six months of the date on this Decision Notice, a pond and ecology measures shall be provided in accordance with an updated Bat and Bird Survey Report, Biodiversity Net Gain Report and Great Crested Newt/Amphibian Survey Report and an Preliminary Ecological Assessment Report to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the ecological value of the site.

5. Within three months of the date of the Decision Notice, an amended drainage strategy shall be submitted to and approved in writing by the local planning authority and the development hereby permitted shall be completed and maintained in accordance with the approved details.:

Reason:-

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

6. The access hereby approved shall not be brought into use until full details of the proposed site access have been submitted to, and approved in writing by, the Local Planning Authority. The access shall thereafter be constructed in accordance with the approved details.

Reason:-

In the interests of highways safety.

7. The on-site parking shall be provided and maintained in accordance with the approved drawings outlined in Condition 1 and shall not be obstructed at any time in the lifetime of the development.

Reason:-

In the interests of highways safety.

8. There shall be no outdoor storage of items anywhere within the application site.

Reason:-

In the interests of the appearance of the site, highway safety and the environment in general.

9. The Travel Plan approved under application DOC 2024 0022 shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development hereby permitted.

Reason:-

In the interests of sustainable travel and highway safety.

10. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy 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 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.

11. The following measures shall be undertaken throughout the construction phase:

I.

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;

II.

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.

12. The machinery, plant or equipment 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. Any plant or machinery to be installed under this permission shall be provided in accordance with the details submitted with application DOC 2024 0022 for the lifetime of the development.

Reason:-

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

13. The artificial external lighting incorporated into this site in connection with this permission shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Any artificial lighting to be installed under this permission shall be provided in accordance with the details approved under application DOC 2024 0022 for the lifetime of the development.

Reason:-

To protect the local amenities of the local residents by reason of excess of illuminance and the ecological value of the site.

14. 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 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 recommence 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 approved remediation shall be submitted to and approved in writing by 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.

15. Throughout the construction process, tree protection fencing shall be installed around the trees and vegetation to be retained in accordance with Section 13.3 of the Tree Heritage Arboricultural Report dated 26.4.22. The fencing shall be retained in situ throughout the course of development

Reason:-

In the interests of the appearance of the site and its ecological value.

16. Within three months of the date of the Decision Notice, amended details of on-site and off-site biodiversity enhancement works on the site annotated for this purpose as shown in drawing PL0(0)7 shall be submitted to and approved in writing and the approved works shall be undertaken in the first available planting season following the date of this Decision Notice.

Reason:-

In the interests of the ecological value of the area and to achieve a Net Biodiversity Gain.

17. Within three months of the date of the Decision Notice, an amended 30-year Management Plan for the biodiversity enhancement works required by Condition 18 shall be submitted to and approved in writing and the approved Management Plan shall be adhered to for 30 years following the first available planting season following the date of this Decision Notice.

Reason:-

In the interests of the ecological value of the area and to achieve a Net Biodiversity Gain.

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. With regard to the requirements of the above conditions, it is considered that additional soft landscaping and ecological enhancement should be applied to the development to compensate for the reduced area of landscaping adjacent to the south boundary of the site as a result of the amended access works approved under this planning permission.

X *B.J. 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 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.