

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

Mrs Hope
C/o agent

Application no: SMD/2024/0511

Determined on: 21/03/2025

**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:
83 Haywood Street Leek Staffordshire ST13 5JN

Description of Development:
Change of use of former bank to public house and function room (sui generis use) including external & internal alterations

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 undertaken in exact accordance with the submitted plans and specifications as follows:-

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Reason:-

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

3. Before the development is first brought into use, details of the new ground floor window and its surround on the south-east elevation, adjacent to Haywood Street shall be to be submitted to and approved in writing by the local planning authority. The details shall include the materials, colour and design of the moldings. Thereafter the development shall be carried out in accordance with the approved details.

Reason:-

In the interests of the character and appearance of the area and the setting of the conservation area.

4. All construction works and deliveries shall be restricted to the following times:

- "" 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.

5. Prior to the first use of the development hereby approved suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from cooking activities on the premises. (The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues). The equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use. The equipment should be installed and operated so as not to cause noise which is audible inside any adjacent residential property. (Any system installed must be by suitably qualified competent engineers and the canopy must meet all relevant Health and Safety requirements including the use of Gas Interlocks. The provision of a commissioning certificate issued by a Gas Safe registered engineer should be available for inspection.)

Reason:-

To ensure that unsatisfactory cooking odours outside the premises are minimised, in the interest of the amenity of occupiers of nearby properties.

6. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed:

(i) the daytime (07:00-23:00) pre-existing background noise levels as set out in Table1, measured over 1 hour at the nearest sound-sensitive premises measurement locations ref.

figure 1 (As referred to in the Noise Impact Assessment prepared by Peak Acoustics Report Ref: P1309244NR dated 29/10/2024)

(ii) the night time (23.00-07.00) pre-existing background noise levels as set out in Table1, measured over 1 hour at the nearest sound-sensitive premises measurement locations ref. figure 1

(As referred to in the Noise Impact Assessment prepared by Peak Acoustics Report Ref: P1309244NR dated 29/10/2024)

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.

Any deviations from the time interval stipulated above shall be agreed upon in writing with the local planning authority.

Reason:-

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

7. The downstairs bar shall not be open to the public before the hours of 09:00 nor after 01:00 Monday to Sunday

Reason:-

To protect the amenities of nearby residents.

8. The function room on the first floor shall not be open to the public before the hours of 09:00 nor after 23:30 Monday to Sunday

Reason:-

To protect the amenities of nearby residents.

9. Before the development is first brought into use, noise limiters shall be installed in the downstairs main bar and upstairs function room:

(i) A noise limiter shall be installed and maintained for the lifetime of the permission in the main downstairs bar, it should be set to levels in compliance with the Noise Impact Assessment prepared by Peak Acoustics Report Ref: P1309244NR dated 29/10/2024)

(ii) A noise limiter shall be installed in the function room and set to levels in compliance with the Nova Acoustics - Noise Breakthrough Assessment 28/02/2025.

Reason:-

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

10. Prior to the development being first brought in to use, the noise mitigation measures as set out in section 9 of the Noise Impact Assessment prepared by Peak Acoustics Report Ref: P1309244NR dated 29/10/2024 and the recommendations and mitigation set out in Nova Acoustics – Noise Breakthrough Assessment 28/02/2025 shall be implemented in full.

Reason:-

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

Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraph 39 of the NPPF.
2. The applicant is requested to take full account of the advice given by the Staffordshire Police Designing Out Crime Officer in the consultation response.
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 the demolition of the existing buildings. 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/>

Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment <http://www.bsigroup.com>

Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014+A1:2019 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download
<http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf>

During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils
<http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf>

Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

X *J. Colley*

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 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.