

Mr Richard Corbett
Roger Parry & Partners LLP
The Estates Office
20 Salop Road
Oswestry
SY11 2NU

Mr. Brittlebank
Tea Leys Farm
Stoke on Trent
Staffordshire
ST10 4NS

Application no: SMD/2024/0299

Determined on: 30.04.2025

**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:

Tea Leys Farm Tea Leys Lower Tea Staffordshire ST10 4NS

Description of Development:

Installation of Biomass Boiler 500kw and all associated works (retrospective)

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 carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

Location Plan 79180 / RJC / 001
Existing Block Plan 79180 / RJC / 002
Proposed Block Plan 79180 / RJC / 003
Biodiversity Enhancement Plan 79180 / RJC / 004
Proposed Plan 79180 / RJC / 100
Proposed Elevations 79180 / RJC / 101 Rev A.

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

2. Within two calendar months of the date of this decision the Woodcrete bat box and Woodcrete bird box shall be installed in the location shown on approved drawing number 79180 / RJC / 004. The bat and bird boxes shall remain in situ for the lifetime of the development and in the event of damage they shall be replaced.

Reason: In the interests of biodiversity enhancement and in accordance with the applicant's intentions.

3. Only the fuel as described in your Biomass Boiler Information Request Form, dated 09.09.24, shall be burnt in the furnace.

Reason:- To ensure that the development is acceptable in terms of Environmental Health impacts and is not amended in such a way that results in potential adverse pollution effects.

4. The furnace and associated ducting and chimneys shall, as a minimum, be serviced and cleaned in accordance with the manufacturer's instructions.

Reason:- To ensure that the development is acceptable in terms of Environmental Health impacts.

5. The chimney serving the ETA Hack 500 furnace shall not be increased or lowered in height from that shown on the above approved plan drawing number 79180 / RJC / 101 Rev A, and shall not be fitted with any terminations (such as cap or cowl) that may impede the upward dispersion of pollutants.

Reason:- To ensure that the development is acceptable in terms of Environmental Health impacts and is not amended in such a way that results in potential adverse pollution effects.

Informatives

1. During the course of considering the application the Council sought additional information concerning the biomass boiler in order to allow satisfactory assessment from an Environmental Health perspective. The council has therefore worked proactively to secure a sustainable development proposal.

2. The applicant is required to submit a formal stack height request under the Clean Air Act 1993 to Environmental Health (biomass boiler information request form and air quality assessments). This is a separate requirement to the planning permission, due to the burn rate of the boiler. Information should be sent to envhealth@staffsmoorlands.gov.uk. As the information has been considered as part of the planning application, as long as there are no changes, Environmental Health have advised that no further assessment will be required.

X *J Curley*

Signed by: Jane Curley

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.