



**TOWN AND COUNTRY PLANNING ACT 1990  
PERMISSION FOR DEVELOPMENT**

Date valid application received: 12/06/2015

Application No: P/2015/00875

Name and address of Applicant  
East Staffordshire Borough Council  
The Maltsters  
Wetmore Road  
Burton upon Trent  
Staffordshire  
DE14 1LS

**EAST STAFFORDSHIRE BOROUGH COUNCIL** in pursuance of powers under the above mentioned Act hereby **PERMITS**:

Erection of 5 detached buildings to form 10 units for Classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution), including the formation of a new vehicular access  
Land at The Dove Way, Uttoxeter, Staffordshire

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No.s:

M5242-0002 Rev P00 - 1:1250 Location Plan dated as received on 10th June 2015

M5242-1100 Rev P03 - 1:500 Proposed Masterplan dated as received on 10th June 2015

M5242-1-210 Rev P00 - Proposed Elevations AA and BB (Building 1) dated as received on 10th June 2015

M5242-1-211 Rev P00 - Proposed Elevations CC and DD (Building 1) dated as received on 10th June 2015

M5242-1-212 Rev P00 - Proposed Elevations EE and FF (Building 1) dated as received on 10th June 2015

M5242-1-213 Rev P00 - Proposed Elevations GG and HH (Building 1) dated as received on 10th June 2015

M5242-1-110 Rev P00 - 1:100 Proposed Ground Floor Plan (Building 1) dated as received on 10th June 2015

M5242-1-111 Rev P00 - 1:100 First Floor Plan (Building 1) dated as received on 10th June 2015

M5242-1-112 Rev P00 - Proposed Second Floor Plan (Building 1) dated as received on 10th June 2015

M5242-1-113 Rev P00 - 1:100 Proposed Roof Plan (Building 1) dated as received on 10th June 2015

M5242-1-220 Rev P00 - Proposed Elevations AA1, AA2 and BB (Building 2) dated as received on 10th June 2015

M5242-1-221 Rev P00 - Proposed Elevations CC1, CC2 and DD (Building 2) dated as received on 10th June 2015

M5242-1-120 Rev P00 - Proposed Ground Floor Plan (Building 2) dated as received on 10th June 2015

M5242-1-121 Rev P00 - Proposed First Floor Plan (Building 2) dated as received on 10th June 2015

M5242-1-122 Rev P00 - Proposed Roof Plan (Building 2) dated as received on 10th June 2015

M5242-1-2300 Rev P01 - Proposed Elevations (Building 3) dated as received on 12th June 2015

M5242-1-130 Rev P01 - Proposed Ground Floor Plan (Building 3) dated as received on 12th June 2015

M5242-1-131 Rev P00 - Proposed First Floor Plan (Building 3) dated as received on 10th June 2015

M5242-1-132 Rev P00 - Proposed Roof Plan (Building 3) dated as received on 10th June 2015

M5242-1-240 Rev P01 - Proposed Elevations AA and BB (Building 4) dated as received on 12th June 2015

M5242-1-241 Rev P00 - Proposed Elevations CC and DD (Building 4) dated as received on 10th June 2015

M5242-1-140 Rev P01 - Proposed Ground Floor Plan (Building 4) dated as received on 12th June 2015

M5242-1-141 Rev P00 - Proposed First Floor Plan (Building 4) dated as received on 10th June 2015

M5242-1-142 Rev P00 - Proposed Roof Plan (Building 4) dated as received on 10th June 2015

M5242-1-250 Rev P01 - Proposed Elevations AA and BB (Building 5) dated as received on 12th June 2015

M5242-1-251 Rev P00 - Proposed Elevations CC and DD (Building 5) dated as received on 10th June 2015

M5242-1-150 Rev P01 - Proposed Ground Floor Plan (Building 5) dated as received on 12th June 2015

M5242-1-151 Rev P00 - Proposed First Floor Plan (Building 5) dated as received on 10th June

2015

M5242-1-152 Rev P00 - Proposed Roof Plan (Building 5) dated as received on 10th June 2015

M5242-1101 Rev P01 - Proposed Landscape Plan dated as received on 10th June 2015

CDW8936/R00/06 Access Highway Works General Arrangement dated as received 10th June 2015.

CDW8936/R00/07 Access Highway Works Longitudinal Sections dated as received 10th June 2015.

CDW8936/R00/08 Access Highway Works MC01 Access Road dated as received 10th June 2015.

CDW8936/R00/09 Access Highway Works Visibility Details dated as received 10th June 2015.

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway in accordance with East Staffordshire Local Plan Saved Policies BE1 and T1, the East Staffordshire Design Guide, and the National Planning Policy Framework.

- 3 No development shall take place until samples and details of all materials to be used externally (including details of coursing of brickwork and roof tiles have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1, the East Staffordshire Design Guide and the National Planning Policy Framework (particularly Section 7 and Paragraph 17).

- 4 No development shall take place until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to its first occupation.

Reason: To ensure adequate drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution as recommended by Severn Trent Water Limited in accordance with the National Planning Policy Framework.

- 5 No development shall take place, and no site works related to the development hereby approved shall be carried out, until details of all slab levels and any regrading proposed to the site have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To ensure that the development does not adversely affect the amenities of adjoining properties and the character or appearance of the area in accordance with East Staffordshire Local Plan Saved Policy BE1, the East Staffordshire Design Guide and the National Planning Policy Framework (particularly Section 7 and Paragraph 17).

- 6 No development shall take place until a written scheme of investigation securing the implementation of a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The programme of work shall be implemented in accordance with the approved details.

Reason: To ensure that no development takes place which may adversely affect any items of archaeological interest without adequate prior investigation in accordance with the National Planning Policy Framework (particularly Section 12).

7 No development shall take place until a contaminated land assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing:

a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with Paragraphs 120 and 121 of the National Planning Policy Framework.

8 No development shall take place until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented and adhered to unless otherwise first agreed in writing by the Local Planning Authority.

Reason: As recommended by the Highway Authority to promote sustainable forms of transport in accordance with East Staffordshire Local Plan Saved Policy T1 and the National Planning Policy Framework (particularly Section 4).

9 No development shall take place until details of ecological enhancement measures (including bird nesting and bat roosting facilities) to be installed on the site have been submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancement measures shall be installed prior to the first use of any of part of the development and thereafter made available at all times for their designated purposes.

Reason: To safeguard protected species and their habitats in accordance with the National Planning Policy Framework (particularly Paragraph 17 and Section 11).

10 No development shall take place until a Construction Management Plan, which shall specify the routing of demolition and construction vehicles to and from the site, parking of vehicles of site personnel, operatives and visitors, loading and unloading of plant and materials, storage area of

plant and materials used during the construction of the development, appropriate wheel wash facilities and measures to prevent the deposition of deleterious material on the public highway, has been submitted and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be implemented and adhered to throughout the construction period unless otherwise first agreed in writing by the Local Planning Authority.

Reason: As recommended by the Highway Authority in the interests of highway safety and in accordance with East Staffordshire Local Plan Saved Policy T1.

- 11 Prior to first use of the approved development, notwithstanding the submitted details, until details of cycle storage facilities (including covered areas) and shower and changing facilities shall be submitted and approved in writing by the Local Planning Authority. The development shall then be carried in accordance with the approved detail and remain for the life of the development.

Reason: As recommended by the Highway Authority to promote sustainable forms of transport in accordance with East Staffordshire Local Plan Saved Policy T1 and the National Planning Policy Framework (particularly Section 4).

- 12 Prior to the first use of the development hereby granted permission, the surface water drainage interceptors shall be installed immediately to the rear of the highway boundary and the visibility splays shown on approved plan CDW8936/ROO/10 shall be provided and thereafter nothing exceeding 600mm in height above the adjoining carriageway shall be placed or allowed to remain forward of the splay unless otherwise approved in writing by the Local Planning Authority.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Saved Policy T1.

- 13 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with East Staffordshire Local Plan Saved Policy BE1, the East Staffordshire Design Guide and the National Planning Policy Framework (particularly Section 7).

- 14 Any scheme of walling and fencing approved as part of the landscaping scheme shall be completed prior to the development first being brought into use.

Reason: To safeguard the visual amenities of the area and the amenities of occupiers of adjoining properties in accordance with East Staffordshire Local Plan Saved Policies BE1 and the National Planning Policy Framework (particularly Section 7 and Paragraph 17).

- 15 Any soil to be imported to the site shall first be chemically analysed for contaminants, with the results submitted to and approved in writing by the Local Planning Authority prior to the soil being installed.

Reason: In order to safeguard human health and the water environment in accordance with the National Planning Policy Framework (particularly Section 11).

- 16 There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment as recommended by the Environment

Agency and in accordance with Paragraph 109 of the National Planning Policy Framework.

- 17 There shall be no outside storage or working unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and the amenities of occupiers of adjoining properties in accordance with East Staffordshire Local Plan Saved Policy BE1 and Paragraph 123 of the National Planning Policy Framework.

- 18 The development hereby approved shall only be carried out in accordance with the mitigation measures set out within the approved Protected Species Report P36.T46.11 Phase 1 Habitat Survey and Protected Species Report by SES dated 26th April 2011.

Reason: To safeguard protected species and their habitat in accordance with Paragraphs 118 and 119 of the National Planning Policy Framework.

- 19 The development hereby approved shall only be carried out in accordance with the mitigation measures set out within the approved FRA Revision A written by EWE Associates dated 16th September 2011.

Reason: To prevent pollution of the water environment as recommended by the Environment Agency and in accordance with Paragraph 109 of the National Planning Policy Framework.

#### Informative(s)

- 1 The conditions identified below require details to be approved before commencement of the development.

#### Condition No(s) 3-8

This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of these conditions have been met.

As from 6th April 2008 requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £97 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request.

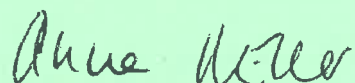
Payment can be made by cheque or card only. If you wish to pay by credit or debit card (1.6% administration charge for credit cards) please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

- 2 The applicants are advised that in complying with Condition 3 above, details of the proposed materials should be submitted in writing to the Local Planning Authority, with any correspondence including notification of the date on which samples will be made available on-site.
- 3 The applicants are advised that there may be a public sewer on or close to the site. Public sewers have statutory protection and may not be built close to, directly over, or diverted without consent. For further advice on this matter Severn Trent Water should be contacted on 01902 793883.
- 4 The applicants are advised to contact the Area Network Office (01543 510153) prior to commencing work for permission to carry out work on the adopted highway and for advice and assistance in carrying out the works.

- 5 The applicants are advised to note and act upon as necessary the comments of the Police Architectural Liaison Officer. Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.
- 6 The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding that it is a sustainable form of development which complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has secured a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraphs 186 and 187 of the National Planning Policy Framework.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.



Dated

15<sup>th</sup> October 2015

Signed



**INVESTOR IN PEOPLE**

**Mahmood Azam B Eng (Hons) MSc MIED**  
**Director of Development and Regeneration**  
**Town Hall, Burton upon Trent, Staffordshire, DE14 2EB**  
**[www.eaststaffsbc.gov.uk](http://www.eaststaffsbc.gov.uk)**

Decision Notice Com – PA Approve Conditions.doc



## TOWN AND COUNTRY PLANNING ACT 1990

### Appeals to the Secretary of State

- 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.
- In the case where we refuse planning permission or grant it subject to conditions decision if you want to appeal then you must do so within 6 months of the date of this notice. (Unless the application is for a minor commercial application, please see the criteria for a minor commercial application below). In the case where we refuse planning permission or grant it subject to conditions for a minor commercial application, if you want to appeal against your decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

### Minor Commercial Development Uses

#### Shops

1. Use for all or any of the following purposes—

- (a) for the retail sale of goods other than hot food,
- (b) as a post office,
- (c) for the sale of tickets or as a travel agency,
- (d) for the sale of sandwiches or other cold food for consumption off the premises,
- (e) for hairdressing,
- (f) for the direction of funerals,
- (g) for the display of goods for sale,

- (h) for the hiring out of domestic or personal goods or articles,
- (i) for the washing or cleaning of clothes or fabrics on the premises,
- (j) for the reception of goods to be washed, cleaned or repaired,
- (k) as an internet café, where the primary purpose of the premises is to provide facilities for enabling members of the public to access the internet, where the sale, display or service is to visiting members of the public.

### **Financial and professional services**

#### **2. Use for the provision of—**

- (a) financial services,
- (b) professional services (other than health or medical services), or
- (c) any other services (including use as a betting office) which it is appropriate to provide in a shopping area, where the services are provided principally to visiting members of the public.

### **Restaurants and cafes**

#### **3. Use for the sale of food and drink for consumption on the premises.**

### **Drinking establishments**

#### **4. Use as a public house, wine-bar or other drinking establishment.**

### **Hot food takeaways**

#### **5. Use for the sale of hot food for consumption off the premises.”**