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STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Application no: SMD/2016/0176

Determined on: 14th June 2016

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2015

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:
Site at the corner of Alsop Street & Broad Street Broad Street LEEK STAFFORDSHIRE ST13 5NX

Description of Development:
Erection of 7 no. new residential dwellings with associated parking and landscaping

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2.The development hereby permitted shall be carried out in accordance with the following approved plans
C1610501, 02A, 03A, 04A, 05A, 06A and 07A
Reason:-For the avoidance of doubt and in the interests of proper planning

3.Notwithstanding the submitted plans, no development shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- External facing materials, including hard surfacing

- Window and door details (to include moulded timber sections; finish; opening mechanism; and glazing bar subdivision.-
- Eaves / verge details
- Boundary details
-Bin storage area
- Soft landscaping with timetable for implementation
- Rainwater goods

Development shall thereafter be undertaken in accordance with the approved details.
Reason:- In the interests of the visual appearance of the development and the amenities of the area and the character and appearance of the Conservation Area.

4.Notwithstanding any details shown on the approved plans, the windows and doors of the proposed development shall be set back a minimum of 75mm from the edge of the brickwork around the window opening,
Reason:- In the interests of the visual appearance of the development and the integrity of the Conservation Area

5.The development hereby permitted shall not be brought into use until the following measures have been taken:-
a) the access to the site has been completed
b) the access, parking, servicing and turning areas have been provided in accordance with the approved plans.
c)details of the surface water drainage interceptor to be provided across the access immediately to the rear of the highway boundary, connected to a surface water outfall or on SUDS principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
d)the access drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material between the site boundary and the block paved parking area
Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1 and T1 and SO11; in the interests of highway safety.

6.The development hereby permitted shall not be brought into use until details of the reinstatement of that part of the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in writing by the Local Planning Authority. That part of the existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height in accordance with the approved plans prior to the first occupation of the development.
Reason:-To avoid a proliferation of overlong and redundant access crossings

7.The development hereby permitted shall not be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority:

- Replacement of street light affected by proposed access (assessment of area streetlighting may be required)

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- investigation and removal, protection or replacement as appropriate of the pipes emerging from the footway in Alsop Street.

The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use
Reason:-To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1 and T1 and SO11; in the
interests of highway safety

8.The development hereby permitted shall not be commenced until details of the 2.4mx43m visibility splay to the east across the Broad Street frontage of the site have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the
development being brought into use
Reason:-To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1 and T1 and SO11; in theinterests of highway safety.

9.No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

I.the hours of work, which shall not exceed the following:
Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
II.the arrangements for prior notification to the occupiers of any potentially affected properties;
III.the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
IV.a scheme to minimise dust emissions arising from 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. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
V.a scheme for recycling/disposal of waste resulting from the construction works;
VI.the parking of vehicles of site operatives and visitors;
VII.the loading and unloading of plant and materials;
VIII.the storage of plant and materials used in constructing the development;
IX.the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
X.details of measures to protect the public footpaths and amenity of users of the pubic footpaths crossing the site during the construction works.
X1 site compound with associated temporary buildings
X2 wheel washing facilities

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of

the alteration.
Reason: To protect the amenities of the area and to ensure the development can be carried out without undue inconvenience to road users.

10.The development hereby permitted, shall not take place until a site investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. The investigation and risk assessment shall be undertaken by competent persons and accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The assessment should include ;
(i)A survey of the extent, scale and nature of any contamination;
(ii)An assessment of the potential risks to:
oHuman health
oProperty (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
oAdjoining land;
oGround and surface waters;
oEcological systems; and,
oArchaeological sites and ancient monuments.
(iii)An appraisal of remedial options, and proposal of the preferred option(s).
A written report of the findings shall be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development.

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.

11.No phase of the development hereby permitted, except for works of site clearance and demolition (not to include break up or removal of hardstanding or other excavation) shall take place until a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken has been submitted and approved, in writing, by the Local Planning Authority. The remediation strategy shall be produced by competent persons and should include:
(i)A summary of the results of the site investigation and the detailed risk assessment and options appraisal referred to in condition (X).
(ii)A remediation strategy giving full details of all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.
(iii)A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation scheme shall be fully implemented as approved and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme. The strategy must ensure that the site will not qualify as contaminated land under

Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation

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.

12.No occupation of any phase of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a ""long-term monitoring and maintenance plan"") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved for each phase.
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.

13.In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (X) , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (20), which is subject to the approval in writing of 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, and is subject to the approval in writing of 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.

14.No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to 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.Any waste material associated with the 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.

16.Development shall not commence until a site specific scheme for protecting the proposed residential units from noise, has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and be designed to achieve noise levels of less than 35 dB LAeq in bedrooms, less than 40 dBLAeq in living areas and 55dB LAeq in outside living areas. A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval. The approved scheme shall be implemented in full; prior to the first occupation of the dwellings hereby permitted.
Reason: To protect occupiers from noise and safeguard their residential amenities.

17.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 Class(es) A, B, C, D, E, F, G H and/or Part 2 Class(es) A 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:- To enable the Local Planning Authority to control the development and so safeguard the character and appearance of the Conservation Area and to ensure that adequate amenity space is retained within the curtilage of each dwelling.

18.The development hereby permitted shall not be commenced until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme 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.

Informative

1.The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2.The dropped crossing to the site shall be constructed in accordance with submitted drawings, details to be submitted and SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire

County Council. The link below provides a link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) http://www.staffordshire.gov.uk/transport/staffshighways/licences/ The existing dropped crossing to the site shall be reinstated to footway in accordance with details to be submitted.Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) The streetlight will need to be replaced and relocated in accordance with the specification and requirements of Lighting for Staffordshire. Please contact 0300 111 8000 or highways@staffordshire.gov.uk marked for attention of Lighting For Staffordshire. Works must be carried out by Lighting for Staffordshire at the developers' expense.

3.There are two vertical pipes emerging from the footway in Alsop Street adjacent to the plot boundary. These should be investigated and if necessary removed or replaced as appropriate

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Signed 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 the Councils Building Control Section.

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. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** 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. All other types of development have a 6 month deadline for submission of appeals. 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. 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. 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

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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.