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Application no: SMD/2016/0151

Determined on: 29th July 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:

57 Basford Bridge Lane Cheddleton Staffordshire ST13 7EQ

Description of Development:

Proposed demolition of existing bungalow and erection of a two storey dwelling

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. 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.

3. In the event that soil contamination, including fuel odour, 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 commence further until an initial 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. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence 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 prepared, and 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

4. During any demolition and construction activities (including landscaping) the contractor shall pay due regard to the Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456), and take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

Reason: To protect local residents from dust.

5. The external walls of the dwelling hereby permitted shall be finished in render and natural stone. There shall be no use of timber cladding. No development shall commence until details or samples of all external materials and finishes to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved details.

Reason: In the interests of visual amenity

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason: To protect the amenity of neighbouring occupiers.

7. No development shall commence until details of the positions, design, materials and type of boundary treatment to be erected have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the scheme has been implemented in accordance with the approved details.

Reason: To protect the amenity of neighbouring occupiers.

8. The first floor window(s) in the side elevations shall be fitted with obscured glazing. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason: To protect the amenity of neighbouring occupiers.

9. The development hereby permitted shall not be occupied until the parking and vehicle turning areas shown on the approved plan have been constructed. These areas shall be reserved exclusively for the parking and turning of vehicles and shall not be obstructed in any way.

Reason: In the interests of highway safety.

10. No development shall commence until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping for the site indicating inter alia the positions of all existing trees and hedgerows within and around the site, indications of any to be retained together with measures for their protection during the course of development, also the number, species,

heights on planting and positions of all additional trees, shrubs and bushes to be planted.

Reason: In the interests of visual amenity

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the 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 landscaping scheme 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: In the interests of visual amenity

12. No development shall commence until details of a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme of foul and/or surface water disposal has been implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory disposal of foul/surface water from the development.

13. This permission shall refer to the following amended drawings: 1193-06 (sections), 1193-05 (side elevations), 1193-04 (front and rear elevations), received on 27th July 2016 1193-03 (Roof plan), 1193-02 (first floor plan) 1193-01 (ground floor plan) received on 22nd July 2016 and 1193-02A (site plan)

Reason: for the Avoidance of doubt.

Informative

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 noise scheme and measurements should pay due regard to

British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

- During any demolition and construction activities (including landscaping) the contractor should 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)

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in Paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

There may be a public sewer located within the application site and we encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over, or be diverted without consents. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and they will seek to assist with obtaining a solution which protects both the public sewer and the building

Please note when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 metres of a public sewer. In many cases under the provisions of Building Regulations 2000 part H4, Severn Trent can direct the building control officer to refuse building regulations approval

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 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.