Mr A Turner
Leek Cricket Club
Macclesfield Road
Leek
Staffordshire
ST13 8SG

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr R Duncan
Rob Duncan Planning Consultancy Ltd
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr A Turner
Leek Cricket Club
Macclesfield Road
Leek
Staffordshire
ST13 8SG

Application no: SMD/2016/0376

Determined on: 16/08/2016

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

GRANT OF OUTLINE PLANNING PERMISSION

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:
Leek Cricket Club Macclesfield Road Leek Staffordshire ST13 8SG

Description of Development:
Outline planning application with all matters reserved except access and layout for the proposed erection of 2no dwellings and the creation of new vehicular access.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

Reserved Matters

1. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called "the reserved matters") before any development is commenced.
1) – Appearance
2) – Landscape
3) – Scale
Reason:- The application is an outline application under the provisions of Article 1(2) of the Town

and Country Planning (General Development Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

4. The development hereby approved shall be carried out in accordance with the following drawings:-

- Revised Location Plan (received 15th August 2016) drawing ref. 2016/LCC/001 A
- Site Plan drawing ref. 2016/LCC/002

Reason:- To define the permission and in the interests of proper planning

Access/Parking

5. The development hereby permitted shall not be brought into use until the parking, servicing and turning areas have been provided in accordance with a scheme to be submitted to and approved -in writing by the Local Planning Authority. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.
Reason:- In the interests of highway safety.

6. The development hereby permitted shall not be commenced until details of the visibility splay of 2.4m x 120.0m to the south 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 shall be provided in accordance with the approved plan prior to the development being brought into use.
Reason:- In the interests of highway safety.

Drainage

7. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows 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:- This is 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.

Construction Management Plan

8. The development hereby permitted shall not begin (including any works of demolition and site clearance) until such time as a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The approved CMP shall be implemented in accordance with the approved details throughout the construction period. The CMP shall include, but is not restricted to:

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- site management arrangements, including on-site storage of materials, plant and machinery; on-site parking and turning provision for site operatives, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site;
- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the site does not carry mud or deposit other materials onto the public highway, and,
- details of measures to minimise construction waste and to maximise recovery and recycling.

Reason:- In the interests of general amenity and highway safety.

Land Contamination

9. Development shall not commence until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be first submitted to and agreed in writing with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority. If the site risk assessment indicates that potential risks exist, development shall not commence until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared and will be subject to the approval in writing by 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. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

Importation of Soil/Material

10. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. Accordingly, a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall 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 thereafter be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority beforehand.

Reason (9-10):- 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.

Sound Insulation

11. 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 shall 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 and shall include a report containing all raw data and showing how calculations have been made. The approved scheme shall be implemented prior to the first occupation of each dwelling to which it relates.
Reason:- To protect occupiers from noise and safeguard their residential amenities.

Ecology/Trees

12. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the development and has previously been approved as part of the details to be submitted pursuant to condition 1 above.
Reason: In the interests of visual amenity.

13. Before development begins (including any works of demolition and site clearance) temporary protective fencing and advisory notices for the protection of the existing trees to be retained, shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. Such measures shall be retained in position for the duration of the construction period. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.
Reason: To protect existing mature trees within the site.

Informative(s)

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. Visibility splay referred to above can be achieved by cutting back and maintaining overgrown vegetation.

3. The applicant has sought matters of access and layout at the outline planning application stage. Site plan drawing ref. 2016/LCC/002 shows the layout as approved. The reference to 'indicative location of new dwellings' should be disregarded as confirmed with the applicant on the 16/08/16.

4. SWT - We do advise that there may be a public sewer located within the application site and 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 consent. 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 we will seek to assist with obtaining a solution

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which protects both the public sewer and the building.

5. STW - 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 meters 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.

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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 on 0345 605 3012.

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

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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.