STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Jeff James
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Mr James & Ms Jo Bartram
Tbe Old Vicarage Dimble Lane
Alton
Staffordshire
ST10 4BL

Application no: SMD/2016/0427

Determined on: 10th November 2016

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:
The Old Vicarage Dimble Lane Alton Staffordshire ST10 4BL

Description of Development:
Proposed erection of new detached dwelling, including means of access and associated works

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 works hereby permitted shall be begun before the expiration of three years from the date of this consent.
Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004 and Section 18 of the Listed Buildings Act.

2. The development hereby permitted shall be carried out in strict accordance with the amended plans numbered 2267-02 Rev A (Scheme Design); 2267-03 Rev A (Location Plan); 2267-04 Rev A (Block plan as Existing); 2267-05 (Block Plan as Proposed) and 2366 (Topographical Survey) subject to the following conditions and/or modifications:-
Reason:- For clarity and the avoidance of doubt.

3. The development hereby permitted shall not be commenced until samples of types and colours of all roof tiles and facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory and maintain the character and integrity of the Conservation Area and adjacent heritage assets and their setting.

4. The development hereby permitted shall not be commenced until, sample panels of facing materials, demonstrating the colour, texture, face bond and pointing have been constructed on site for inspection and subsequent approval in writing by the Local Planning Authority. The development hereby approved shall be carried out in complete accordance with the approved sample panel which shall be retained on site until the approved development has been completed.

Reason:- To ensure that the external appearance of the development is satisfactory and maintain the character and integrity of the Conservation Area and adjacent heritage assets and their setting.

5. All pointing shall be of a strength and style appropriate to the type of walling material used (as defined in the Council leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. A sample panel, at least one square metre, shall be completed on site and shall be inspected and approved in writing by the Local Planning Authority before development commences and shall remain on site during the period of construction.

Reason:- To ensure that the external appearance of the development is satisfactory and maintain the character and integrity of the Conservation Area and adjacent heritage assets and their setting.

6. Notwithstanding the above approved plans, no development apart from site clearance shall be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and retained as such for the life of the development.

- Treatment of eaves, verges, chimneys and any facing details;
- Joinery details for all windows and doors including cills, lintels, headers, glazing, putty fixing, method of opening, finish and the proposed conservatory which shall be timber framed and glazed in clear glass.
- Details including the materials, finish and colour of all rainwater goods, external drainage goods,external flues, cowls, soil vents and any other means of venitlation
- Boundary details such as any walls, fences and railings and drawn details of worjks necessary to amend frontage boundary wall to facilitate access.

Reason:- To ensure that the external appearance of the development is satisfactory and maintain the character and integrity of the Conservation Area and adjacent heritage assets and their setting.

7. The development hereby permitted shall not be brought into use until details of the

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2mx18m visibility splay to the south have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall be provided in accordance with the approved plan prior to the development being brought into use and thereafter be kept free of all obstructions to visibility over a height of 1.1m above the adjacent carriageway level.

Reason:-In the interests of highway safety.

8. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. 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.

9. The development hereby permitted shall not be commenced 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 approved development shall then be carried out in accordance with the approved details.

Reason:-To prevent the increased risk of flooding by ensuring the provsion of a satisfactory means of surface water disposal is incorporated into this propsoal and maintained for the lifetime of the proposal.

10. No development shall take place until the biodiversity design enhancements detailed below have been submitted to and approved in writing by the Local Planning Authority. This shall comprise:

a)Creation of bird nesting features for swift, and house sparrow within the new building. Each species shall be provided for according to best practice designs.
b) Erection of at least one integrated bat roosting opportunity in the new building following best practice guidance.
c) Details of garden planting that will attract insects and increase the biodiversity value of the garden associated with the new dwelling.
d) Details of proposed exteneral lighting design to include lamp specificatiopns, positions, numbers and heights and measures to limit use of lights when not required and to prevent light spill onto vegetation and adjacent land and to avoid harm to bat activty and other wildlife
d) Persons responsible for implementing the proposed works.
e) Details of timestable for implementation and initial aftercare and long-term maintenance.
f) Details of monitoring and remedial measures.

The biodiversity enhancements shall be implemented in accordance with the approved details prior to the occupation of any part of the developmentand all features shall be retained in that manor thereafter.

Reason:- To safeguard the established ecological interests of the site.

11. A detailed method statement for the removal of Japanese knotweed following industry best practice standards shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works shall be carried out in

accordance the approved method statement.

12. An endoscopic survey to ascertain if bats are present shall be carried out by a licenced bat surveyor prior to the demolition of the small detailed brick and tile outbuilding on the site and the results submitted to and approved in writing by the Local Planning Authority. Demolition of structures shall be carried out carefully by hand. In the event that bats are detected then work shall stop and a licensed bat ecologist must be contacted for advice. In the unlikely event bats are detected then further surveys to inform a licence application to Natural England may be required.

13. 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.

14. 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 the amenities of the area.

15. Any waste material associated with the demolition or 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. In the event that contamination 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 in writing 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 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.

17. 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, 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 then be carried out and validatory evidence submitted to and approved in writing 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.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 and H and/or Part 2 Class(es) A,B 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 visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

19. Before the commencement of development including any demolition, site clearance, stripping or site establishment, temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordancee with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations and as set out in the Arboricultural Survey and Report by R J Tree Services Ltd dated July 2016 submitted in support of the planning application, and shall be retained in position for the duration of the period that development takes place unless otherwise agreed in writing by the Local Planning Authority. 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 unless otherwise agreed by the Local Planning Authority.

Reason:-To ensure that trees to be retained are not adversely affected by the development propsals.

20. Development hereby approved shall not be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local

Planning Authority. The details to be submitted shall include, but are not confined to: means of enclosure, including design, materials and siting; hard surfacing materials; boundary planting; and an indication of all existing trees and hedges and those it is intended to retain, together with measures for their protection during the construction period. Development shall be carried out in accordance with the approved details. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following 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.

21. Should, pursuant to condition 20 any trees or hedges need to be removed during the bird nesting season (1 March – 31 August inclusive) this shall not take place unless and until it has been demonstrated through the submission of a method statement that shall previously have been submitted and approved in writing by the Local Planning Authority, that nesting birds can be adequately protected. Development shall be carried out only in accordance with the approved details which may include, but are not confined to, the timing of work, pre-work checks, avoidance of nesting areas, and protection zones around nesting areas.

Informatives

1. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this instance the agent was updated of any issues after the initial site visit and was provided with the opportunity to address issues identified by the case officer in order to make the scheme acceptable.

2. Attention is drawn to condition 18 of this planning permission the effect of which is to withdraw permitted development rights for development which may otherwise be permitted under the provisions of the Town & Country Planning General Permitted Development Order (1995). The applicant is therefore advised to contact the Council and seek advice prior to undertaking any furture alterations or extensions (inclduing the provisionf garages, outbuildings or ancillary structures).

3. Severn Trent Water 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 who will assist with obtaining a solution which protects both the public sewer and the building.

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4. 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.

5. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

6. .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.

7. During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

8. 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)

   If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.

   Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.

   The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and ""appropriate person"". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.

   Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the

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Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes

The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

9. Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering/becoming trapped.

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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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 at buildingcontrol@staffsmoorlands.gov.uk

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.

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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.