STAFFORDSHIRE
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DISTRICT COUNCIL
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Chief Executive

Sammons Architectural
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire
ST13 6JP

C/O Agent

Application no: SMD/2016/0542

Determined on: 02/12/2016

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:
New Inn, Leek Road, Longsdon, Staffordshire ST9 9QF

Description of Development:
Conversion and extension of former public house into residential and erection of two dwellings (resubmission of 12/00872/FUL)

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. The development hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

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2008-1608-32
2008-1608-33
2008-1608-34
2008-1608-35
2008-1608-36
2008-1608-43A - layout, landscaping and drainage
2008-1608-44 - footpath
2008-1608-45 - windows - plot 3
2008-1608-47A - windows - plots 1 and 2
2008-1608-48 - windows - plot 4
2008-1608-49 - doors - plots 1 and 2
2008-1608-51 - entrance doors
2008-1608-52 - doors - plots 3 and 4

Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. The building materials for the development hereby approved shall comprise Ibstock Birtley Olde English bricks and Birchover stone for the walls, slates and Staffordshire Blue clay tiles for the roofs and Liscia paving slabs, Amalfi Permi8 granite stone and Amalfi Permi8 Brunello materials for the hard-surfacing of the site. All windows and doors shall be white-painted timber.

Reason:-
To ensure that the external appearance of the development is satisfactory.

3. 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 additional windows or any other openings shall be installed in any part of the development hereby permitted unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:-
To protect the amenity and living conditions of future occupiers and the wider visual amenities in the area.

4. 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 and F; Part 2 Class A shall take place within the site unless a further planning permission has first been granted on application to the Local Planning Authority.

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Reason:-
To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area and the openness of the Green Belt.

5. Before the proposed development is brought into use, a path with a 1.8m wide kerbed footway between A53 Leek Road and across the proposed access shall be provided in accordance with drawings 2008-1608-43A and 2008-1608-44.

Reason:-
In the interest of highway safety.

6. The development hereby permitted shall not be brought into use until the existing southern site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted has been permanently closed and the access crossing reinstated as verge with all bound material broken out and removed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason:-
In the interest of highway safety

7. The development hereby permitted shall not be brought into use until visibility splays of 2.4mx19m to the north and 2.4mx43m to the south of the proposed driveway and 2.4mx120m to the east across the Leek Road frontage from Denford Road junction have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.

Reason:-
In the interest of highway safety

8. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

Reason:-
In the interest of highway safety.

9. The parking and turning areas shown on drawing 2008-1608-43A shall be provided prior to the first occupation of the development hereby permitted and thereafter retained for the purposes of parking and turning of private vehicles for the life of the development.

Reason:-
In the interest of highway safety

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10. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary unless otherwise agreed in writing by the Local Planning Authority.

Reason:-
In the interest of highway safety

11. The development shall take place in accordance with the recommendations R1 to R3 of the applicant's submitted bat activity report RT-MME-122432 including prior inspection, relevant specialist specification of working methods and supervision of the initial works to the existing buildings at New Inn.

Reason:-
In the interests of biodiversity and to safeguard European Protected Species.

12. Before the development hereby approved is brought into use, "2F Schwegler" bat boxes and bat roosts shall be installed and provided in exact accordance with drawing 2008-1608-54 and the ""Ridge Tile Access Detail 4B"" drawing.

Reason:-
In the interests of biodiversity and to safeguard European Protected Species.

13. Unless prior permission has been obtained in writing from the Local Planning Authority, all potentially 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 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.

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Reason:-
To protect local amenities from dust.

15. Remediation of identified contamination present on the site and further gas monitoring works should be conducted inline with the approved remediation scheme, submitted in connection with the application (Ref: CS/LD/SL/ST11160/J0). Prior to bringing the development into first use, a validation report demonstrating completion of the 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 validation 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 validation plan, and for the reporting of this to 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.

16. Prior to bringing the development into use, a validation report demonstrating completion of the works in accordance with the approved remediation strategy shall be submitted to and approved, in writing, by the local planning authority. Upon completion of all plots and additional areas an additional final validation report demonstrating completion of all the works in accordance with the approved remediation strategy shall be submitted to and approved, in writing, by the local planning authority. Each report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall if appropriate, 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 validation plan, and for the reporting of this to 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

17. 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 recommence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning

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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.

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.

18. No top soil or fill material 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 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 to by 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.

19. The design and construction of the proposed package sewage treatment shall meet the requirements of European Standard (EN 12566-3). All discharge from the package sewage treatment shall be to a soak away system designed to meet the requirements of British Standard BS 6297:1983 and which complies with the following: (a) There is no connection to any watercourse or land drainage system and no part of the soak away system is situated within 10 metres of any ditch or watercourse. (b) Porosity tests are carried out to the satisfaction of the Local Planning Authority to demonstrate their suitable subsoil and adequate land area is available.

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

20. Before the commencement of development (including any demolition, site clearance,

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stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees and hedges to be retained shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed 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 the appropriate landscape design and in the interests of the visual and residential amenities of the area.

21. The planting plan shown on Sammons Architectural "General Arrangement Site Plan" Drg. No. 2008-1608-43 Rev A shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

22. Before the development is brought into use, the boundary treatments for the site shall be provided in accordance with drawing 2008-1608-43A.

Reason:-
In the interests of visual and residential amenity.

23. All approved external works to the existing former public house building shall be completed before the occupation of the first new-build dwelling hereby approved. The conversion of the existing former public house building (including all internal works) shall be completed in its entirety before the occupation of the second new-build dwelling hereby approved.

Reason:-
In the interests of Green Belt policy and the character and appearance of the heritage asset on site.

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Informatives

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

2. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

3. It is noted that the "General Arrangement and Site Plan" includes schedules for 3 planting areas (A, B and C) whilst the drawing itself shows two separate beds both denoted Bed A and one denoted Bed C, but none denoted Bed B. Presumably this is simply a drafting error.

4. It is noted that the proposed new trees are to be selected from a list which includes Common Ash (Fraxinus Excelsior) which is commercially unavailable at present due controls relating to Ash Dieback Disease, and also includes Common Beech (Fagus sylvatica) and Common Oak (Quercus robur), both of which are considered to be too large at maturity for the planting space available on this site. I would therefore suggest (perhaps by way of informative note on the decision notice or other more informal advice to the agent that Fraxinus, Fagus and Quercus be omitted from the tree planting list, with trees to be taken from the remaining species which are more suitable for this site. Further, Tilia euchlora is the largest of the remaining species on the selection list, and I would suggest that this species is planted only at the head of the courtyard/unit 2 parking area, with other smaller species from the list being used in gardens closer to the dwellings as indicated on the plan.

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.
13.