STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Simon Goldstraw
Hewitt & Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire
ST10 1NP

Chandos Homes Limited Unit 7 Oak
Green Business Park
Cheadle Hulme
Stockport
SK8 6QL

Application no: SMD/2016/0439

Determined on: 28th February 2017

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:
Land Adj Yew Tree Farm SHAWE PARK ROAD KINGSLEY HOLT STAFFORDSHIRE

Description of Development:
Variation of Condition 2 (House types) on planning application SMD/2015/0735

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 11th February 2016 being the date of the original permission reference number SMD/2015/0735.
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 strict accordance with the submitted plans numbered 00066 PL(0)01 00541-AL(0)02C; 00541-AL(0)03C; 00541-AL05C; 00541-AL(0)08E and 00541-AL(0)09A and the amended plans numbered 00541-AL(0)01B and 00541-AL(0)6Csubject to the following conditions and/or modifications:-
Reason:- For clarity and the avoidance of doubt.

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3. Notwithstanding the details shown on the approved plans the development hereby permitted shall be carried out in accordance with the external materials schedule approved below and there shall be no variation without the prior written consent of the Local Planning Authority:-

External Facing Materials
Plots 1,3, 4 & 7 Wienerberger Oakwood Multi brick & Plots 2, 5 & 6 K Rend Silicone Scrapped Texture in Colour Sterling White
Roof Tiles - Sandtoft 20/20 clay interlocking tile
Driveways - Marshalls Tegula Block Paving in Colour Traditional
Paving - Marshalls Charnwood Textured Concrete Paving Slabs in Colour Buff

Windows & Doors
Windows - White uPVC
Front Door - Composite
Other Doors - White uPVC

Eaves & Verges
Fascia - White uPVC
Soffit - White uPVC
Verge - Corbelled brick

Boundary & Retaining Wall Details
Boundary fencing - close boarded timber panels 1800mm high
Retaining walls - Wienerberger Oakwood Multi
Reason:- In the interests of the character and appearance of the development.

4. The development hereby approved shall be constructed in accordance with the levels details previously submitted and approved on drawing number 00541-AL(0)08 Existing and Proposed Levels and there shall be no variation without the prior written consent of the Local Planning Authority.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

5. The development hereby permitted shall not be brought into use until the visibility splays shown on approved drawing number 00541-AL(0)06C have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
Reason:- In the interests of highway safety.

6. The off-site highway works comprising of a 2.0m footway on the frontage of the development, and relocation of the existing sign to diagram 504.1 as shown on amended drawing number 00541- AL(0)09 Rev A shall be constructed prior to first occupation of the development.
Reason:- In the interests of highway safety.

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7. The development hereby permitted shall not be brought into use until the access drives rear of the public highway have been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the site boundary.
Reason:- In the interests of highway safety.

8. The development hereby permitted shall not be brought into use until the accesses, parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained for the purpose of parking and turning of vehicles for the life of the development.
Reason:- In the interests of highway safety.

9. Any gates shall be located a minimum of 5m rear off the carriageway boundary and shall open away from the highway.
Reason:- In the interests of highway safety

11. The development hereby approved shall be carried out in strict accordance with the Construction Management Plan, Dust Risk Assessment undertaken by Chandos Civil Engineering dated 3rd November 2016 and additional details contained in the email to the Local Planning Authority dated 04th November 2016 including the annotated 1:1250 location plan showing proposed parking and storage arrangements and there shall be no variation without the prior written consent of the Local Planning Authority.
Reason:- To protect the amenities of the local residents from any adverse impacts caused by construction works.

12. Any artifical lighting introduced by virtue of granting this permission shall be attenuated to ensure no increase in the pre-existing illuminace levels at the adjoining light sensitive locations when the lights are in operation.
Reason:- To protect the amenities of local residents by reason of excess of illumination.

13. 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 re-commence 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 historic environment has been prepared and is subject to the approval in writing of this Local Planning Authority.
Reason:- To ensure that risks from land contamination to future users of the land and neighboring 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 othjer offsite receptors.

14. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the propsoed development, a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior

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to the soils being imported on 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 risks from land contamination to future users of the land and neighboring 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 othjer offsite receptors.

15. The development hereby permitted shall be carried out in strict accordance with the the Environmental Noise Assessment undertaken by Peak Acoustics dated 12th August 2016 which has been submitted as part of this application. The approved details contained in appendix F of this report shall be implemented prior to the development first being bought into use and there shall be no variation without the prior written agreement of the Local Planning Authority.
Reason:- To protect occupiers from noise and safeguard their residential amenities.

16. The development hereby approved shall be carried out in strict accordance with the foul and surface water drainage details as shown on the structural engineer's drawings numbered K620 100, K620-101A, K620-102, K620-103, K620-104 and asscoiated submitted storm sewer design calculations prior to first occupation of the dwellings. There shall be no variation without the prior written consent of the Local Planning Authority.
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.

17. The tree planting plan shown on drawing number 00541-AL(0)06C 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, shrubs, herbaceous plants and grasses 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 or are removed or otherwise fail to establish shall be replaced during the next suitable season.
Reason:- In the interests of the general amenities of the area.

18. Before the commencement of development, including any site clearance and stripping, temporary protective fencing and advisory notices for the protection of the existing trees to be retained at the site boundaries shall be erected in accordance with guidance in British Standards 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. Within the fenced areas there shall be no excavation, changes in ground levels, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the Local Planning Authority.
Reason:- In the interests of the general amenities of the area.

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19. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development includinhg highway visibility requirements. No removal of any of hedgerows, trees or shrubs or works to demolish structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before vegetation clearance and provided written confirmation that no birds will be harmed and /or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation must be submitted to the Local Planning Authority and approved in writing prior to any work commencing.
Reason:- In the interests of the general amenities of the area and nature conservation interests.

20. The development hereby permitted shall be carried out in strict accordance with the submitted ecological management plan which comprises of the Phase 1 Survey undertaken by Arc Ecology in September 2016, the letter from Chandos Homes dated 22nd November 2016 and the email dated 13th December 2016 confirming timings for commencement and completion of hedgerow removal and there shall be no variation without the prior written consent of the Local Planning Authority.
Reason:- In the interests of nature conservation.

Informatives

1. The application proposes a sustainable form of development which is in keeping with adopted development plan policies and guidance contained in the National Planning Policy Framework.

2. Each dropped crossing to the site shall be constructed in accordance with details to be submitted and SCC requirements). Please note that prior to the access being constructed you require Section 184 Notice of Approval for each crossing 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/

3. The construction of the footway and relocation of the sign shall require a Minor Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a link to a Minor Works Information Pack and an application form for the Minor Works Agreement. Please complete and send to the address indicated on the application fom 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/

4. Please note that for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to

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Severn Trent Water under Section 106 of the Water Industry Act 1991. When making their S106 application to connect to the sewer they may be requested to provide soakaway evidence. Current guidance notes and application forms can be obtained from either www.stwater.co.uk or by contacting the Development Services Team (Tel: 0800 707 6600).

5. Severn Trent water advise that there is a public sewer within the application site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discus your proposals. Severn Trent will assist you obtaining a solution wich protects both the public sewer and the building. Please note when submitted a Building Regulations applicaion, the building control officer is required to check the publci sewers maps supplied by Severn Trent Water and advise them of any proposals located over or within 3.0 metres of a public sewer. In many cases, under the provisions of Building Regulation 2000 Part H4, Severn Trent can dircet the building control office to refuse building regulations approval.

X B.J. Haywood

Signed by: Ben Haywood

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.