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

c/o Mr A Critchlow
AEW Architects
Forge Lane, Water Tower
Elm Road
Congleton
CW12 4PR

Mr C Critchlow
34 Grange Road
Biddulph
Stoke-on-Trent
ST8 7RY

Application no: SMD/2016/0583

Determined on: 12/04/2017

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:
123 Tunstall Road Knypersley Staffordshire ST8 7AA

Description of Development:
Proposed erection of 1no new detached dwellings and minor changes to existing bungalow (121 Tunstall Road)

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 permitted shall be carried out in accordance with the following approved plans:
6305-AEW-XX-XX-DR-A-400 (Location plan);
6305-AEW-XX-XX-DR-A-401 (Block plan);
6305-AEW-XX-XX-DR-A-402 (Existing site plan);

6305-AEW-XX-XX-DR-A-403 REV A (Proposed site plan);
6305-AEW-XX-XX-DR-A-404 (Existing building details 123);
6305-AEW-XX-XX-DR-A-405 (Existing building details 121), and,
6305-AEW-XX-XX-DR-A-406 (REV B Proposed buildings).
Reason:- For the avoidance of doubt and in the interests of proper planning.

3. No development shall be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- External facing materials, including hard surfacing
- Window and door details
- Eaves / verge details
- Boundary details

Development shall thereafter be undertaken in accordance with the approved details.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and the surrounding area.

4. The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and the surrounding area.

Trees / Landscaping

5. Before the commencement of development (including any site clearance, stripping, site establishment, formation of new access and removal of existing access) 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* 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 in writing by the Local Planning Authority.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and the surrounding area.

6. Before the commencement of development (including any site clearance, stripping, site establishment, formation of new access and removal of existing access) full details of all tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include full construction specification for a no-dig cellular confinement system for the proposed new access and driveway, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees on and adjacent to the application site,

including closing off and taking up the existing access and drive and installing the new drive in accordance with the no-dig cellular confinement system to be approved. Such method statement and protection measures shall specifically include details and timescales to ensure that appropriate measures are implemented to protect tree roots in the vicinity of the existing and proposed site accesses and driveways from the initial outset of any construction activity. Thereafter, the development shall be constructed only in full accordance with details as approved.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and the surrounding area.

7. Before the commencement of development (including any demolition, site clearance, stripping or site establishment) a landscaping scheme shall be submitted to and approved by the Local Planning Authority. Such a scheme shall include full details of any new tree, shrub, hedge, herbaceous and grass planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved 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 and other plants which are 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:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and the surrounding area.

8. The front boundary conifer hedge as shown on the approved site plan shall be maintained at a height of no greater than 2.0m.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and the surrounding area.

Drainage

9. The development hereby permitted shall not be commenced until such time as a scheme for the provision of surface water drainage works, based on sustainable drainage principles incorporating surface water limitation, has been submitted to and approved in writing by the Local Planning Authority along with a timetable for implementation. The drainage works shall be completed in accordance with the agreed details and timetable.
Reason:- To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

Highways

10. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor sited immediately to the rear of the highway boundary, connected to a surface water outfall or drained on SUDS principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

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Reason:- In the interests of highway safety.

11. Notwithstanding any details shown on the approved plans, no development shall be commenced until revised access details indicating access constructed as a dropped crossing of the footway (as opposed to a bellmouth) have been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details and shall be completed prior to first occupation of the development.
Reason:- In the interests of highway safety.

12. The development hereby permitted shall not be commenced until details of the 1.0mx1.0m pedestrian visibility splays 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 600 mm above the adjacent carriageway level and shall be provided in accordance with the approved plan prior to the development being brought into first use.
Reason:- In the interests of highway safety.

13. 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 (as modified by condition 11). 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.

14. The garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.
Reason:- In the interests of highway safety.

15. 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 in accordance with the approved plans.
Reason:- In the interests of highway safety.

16. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material in accordance with the approved plans and drained in accordance with SUDS principles.
Reason:- In the interests of highway safety.

17. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site access to number 121, Tunstall Road, (which shall include the access crossing between the site and carriageway edge, and boundary treatment), made redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority. The existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height in accordance with the approved plans.
Reason:- In the interests of highway safety.

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Environmental

Coal Authority

18. No development shall take place until a site investigation of the nature and extent of any land instability has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any land instability and/or and other public safety issues are found during the site investigation resulting from, for example, past mining activity, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any unexpected hazards are found which have not been identified in the site investigation, additional measures for their remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.
Reason:- To ensure that risks from land instability and mining related hazards to the future users of the land and neighbouring land are minimized and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and the general public.

Amenity

19. 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.

Contamination

20. The development hereby permitted shall not take place until a site investigation and risk assessment has been completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. The investigation and risk assessment shall thereafter be undertaken by competent persons and accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The assessment shall include:

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(i) A survey of the extent, scale and nature of any contamination;
(ii) An assessment of the potential risks to:
- Human health
- Property (existing or proposed) including buildings, crops, livestock, pets,
- woodland, service lines and pipes;
- Adjoining land;
- Ground and surface waters;
- Ecological systems; and,
- Archaeological sites and ancient monuments.

(iii) An appraisal of remedial options, and proposal of the preferred option(s).
A written report of the findings shall be submitted to and agreed in writing by the Local Planning Authority prior to any commencement of the development.

Remediation Statement

21. The development hereby permitted (except for works of site clearance and demolition, but not to include break up or removal of hardstanding or other excavation) shall not take place until a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken have been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be produced by competent persons and include:

I. A summary of the results of the site investigation and the detailed risk assessment and options appraisal referred to in condition 20 above.
II. A remediation strategy giving full details of all works to be undertaken, proposed
III. remediation objectives and remediation criteria, timetable of works and site
IV. management procedures.
V. A verification plan providing details of the data that will be collected in order to
VI. demonstrate that the works set out in the remediation strategy are complete and
VII. identifying any requirements for longer-term monitoring of pollutant linkages,
VIII. maintenance and arrangements for contingency action.

The remediation scheme shall be fully implemented as approved and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Verification Report

22. No occupation of any part of the permitted development shall take place until a verification report (demonstrating completion of works as set out in the approved remediation strategy and the effectiveness of the remediation) has been 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 verification 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

verification plan. The long-term monitoring and maintenance plan shall be implemented as approved for each phase.

Unexpected Contamination

23. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. A investigation and risk assessment must be undertaken in accordance with the requirements of condition (X) , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (20), which 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.

Soil Importation

24. No 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 (common to 20-24):- 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.

Informative(s)

1. The revised scheme is considered to be a sustainable form of development to conform to the provisions of the NPPF.

Ecology

a) No removal of any 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 prior to any work

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commencing.

Highways

a) The dropped crossing to the site shall be constructed in accordance with details to be submitted and with SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further 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/

b) A note on drawing 6305_AEW_XX_XX_DR_A_403 Proposed Site Plan states access to be formed in location of approved SMD/2016/0238. However, the access appears to be in a slightly different position to that shown on SMD/2016/0238. For completeness I have taken this application as a being for a new access and have conditioned accordingly.

c) Informative 3 on SMD/2016/0238 stated '.....It should not be construed that it is acceptable for a cul de sac development'. I have recommended conditions appropriate to a small private cul de sac development.

d) The access is shown as being a bellmouth. This is not appropriate for a small private of development totalling 4 dwellings. Construction as a dropped crossing will give priority to pedestrians.

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.

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.