STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Billie Chell
Hewitt & Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire
ST10 1NP

Mr Slater
Newfold Farm
Sytch Road
Brown Edge
ST6 8QX

Application no: SMD/2017/0112

Determined on: 03/05/2017

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:
Newfold Farm Sytch Road Brown Edge Staffordshire ST6 8QX

Description of Development:
Demolition of existing building yard sheds and proposed erection of 2no. single storey residential properties (resubmission SMD/2016/0528)

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:-

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Amended Plan: 00537 AL(0)02 Revision A received on 2nd May 2017
Amended Plan: 00537 AL(0)03 Revision A received on 2nd May 2017
Amended Plan: 00537 AL(0)04 Revision A received on 2nd May 2017

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

3. The development hereby permitted shall not be commenced until details of types and colours of all roof tiles, facing materials and hard surfaces 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.

4. 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.

5. 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 and prevent air pollution

6. 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 and prevent air pollution

7. Development shall not commence until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed in writing with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority. If the site risk assessment indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, and is subject to the approval in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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.

8. 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.

9. The development hereby permitted shall not be commenced until details of a visibility splay of 2.4m x 43m (to the south east) and 2.4m x 23m (to the north west along Woodhouse Lane) have been submitted to and approved in writing by the Local Planning Authority. The visibility splays shall be provided in accordance with the approved plan prior to the first

occupation of the development and thereafter shall be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level.

Reason:-
In the interests of highway safety.

10. The access shall be ungated. Any existing access gates shall be removed before the occupation of any of the dwellings hereby approved.

Reason:-
In the interests of highway safety.

11. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas for the proposed development and the existing house 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.

12. 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 and porous material for a minimum distance of 10m back from the site boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be surfaced in accordance with the approved details.

Reason:-
In the interests of highway safety.

13. Before the occupation of any of the bungalows hereby approved, the front boundary stone wall within the Newfold Farm property that is within the visibility splays required by condition 9 shall be reduced in height to 0.9 metres in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason:-
In the interests of highway safety and the character and appearance of the area.

14. Before the commencement of development, details of a scheme of intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority and the agreed investigations shall be undertaken. A report to show the findings arising from the intrusive site investigations together with details of a scheme for remedial works needed

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

shall be submitted to and approved in writing by the Local Planning Authority and the agreed remedial works shall be undertaken before development works commence.

Reason:-
In the interests of ground stability and structural safety.

15. The development hereby approved shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in exact accordance with the approved details before the development is first brought into use.

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.

16. 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, and E and Part 2 Class A shall be carried out within the site 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 the openness of the Green Belt.

17. The development hereby permitted shall not be commenced until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The landscaping details shall include the re-positioning or re-planting of a hedge to the north of the access point as required by Condition 9. The details shall include:
- Means of enclosure
- Hard surfacing materials

Soft landscape details shall include:
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

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

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

18. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

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

Informatives

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

2. If necessary to comply with the access width condition, the dropped crossing to the site shall be widened 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 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. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer:

- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

- 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.

- Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download
http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

- During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

formed from leaving the site boundary: 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

and 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 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.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.