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

Mr J Pryszlak
Architectural Services
Mill House Springs Bank
Bagnall
Stoke On Trent
ST9 9JR

Mr A Grocott
The Nook Stanley Road
Stockton Brook
ST9 9LL

Application no: SMD/2016/0561

Determined on: 17/05/2017

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

GRANT OF OUTLINE PLANNING PERMISSION

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:
Coltslow Stanley Moss Lane Stockton Brook Staffordshire ST9 9LH

Description of Development:
Outline planning application with all matters reserved (except for access) for demolition of existing buildings and replacement with a detached bungalow.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

Reserved Matters

1) Details of appearance, landscaping, layout, and scale (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development thereafter shall be carried out as approved.
Reason:- The application is an outline application under the provisions of the Town and Country Planning (Development Management Procedure) Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission.

2) The application(s) for approval of the reserved matters shall be made to the Local Planning Authority no later than three years from the date of this permission.
Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (As Amended).

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3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (As Amended).

Development Parameters

4) No more than a single dwelling house shall be provided on the site.
Reason:- For the avoidance of doubt and in the interests of proper planning.

5) The volume of the proposed residential property shall not exceed 267 cubic metres.
Reason:- For the avoidance of doubt and in the interests of proper planning.

6) 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.

Access/Parking

7) No development hereby approved shall be commenced until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:
- Provision of parking, turning and servicing within the site curtilage;
- Means of surface water drainage;
- Surfacing materials;
- Layout of buildings;
- Surfacing of the access in a bound material for a minimum distance of 5.5m rear of the carriageway edge;

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development.
Reason:- In the interests of highway safety.

8) The development hereby permitted shall not be commenced until details of the 2.4m x 14m visibility splay to the east towards the junction 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 900 mm above the adjacent carriageway level and shall be provided in accordance with the approved plan prior to the development being brought into use.
Reason:- In the interests of highway safety.

9) Before the proposed development is brought into use, the wall/hedge on the site frontage between the access and the adjacent property to the west shall be reduced to, and maintained at, a maximum height of 900 mm above the adjacent carriageway level in

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accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter nothing shall be placed, constructed, planted or allowed to remain within 2.4m of the carriageway edge that is greater than 900mm in height above the adjacent carriageway level on the frontage of the development. Anything that is greater than 900mm in height within 2.4m of the adjacent carriageway shall be immediately removed.
Reason:- In the interests of highway safety.

10) Before the proposed development is commenced, the gates shall be setback a minimum of 5.5m rear of the carriageway edge and shall open inwards away from the carriageway.
Reason:- In the interests of highway safety.

Removal of Permitted Development

11) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015), or any Order revoking or re-enacting or amending that Order with or without modification, no development within Schedule 2 Part 1, Classes A-H and Parts 2 shall take place on the dwelling house hereby permitted or within its curtilage unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:- For the avoidance of doubt and in the interests of proper planning.

Sustainable Drainage

12) No development shall take place, including works of demolition and site clearance, until details of a sustainable surface water drainage scheme, based on an assessment of the hydrological and hydrogeological context of the development site, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details and timetable. The scheme to be submitted shall:-

- demonstrate the ability for on-site accommodation of surface water run-off up to the critical 1 in 100 year event plus 30% allowance for climate change, based upon the submission of drainage calculations;
- provide information about the design storm period and intensity, and the method employed to delay and limit surface water discharged from the site to greenfield run-off rates;
- demonstrate measures taken to prevent pollution of the receiving groundwater and/or surface waters, including measures to attenuate any discharges into the Stanley Feeder Channel to appropriate rates, together with details of the installation of interceptors to minimise the risk of contaminated surface water run-off entering the Stanley Feeder Channel;
- include a timetable for implementation of the scheme;
- and provide a management and maintenance plan for the scheme, for the lifetime of the development, which shall include the arrangements for adoption of the scheme by any public authority or statutory undertaker, and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:- In the interests of sustainable drainage, protection of the Stanley Feeder Channel and local flood prevention.

Construction Management Plan

13) The development hereby permitted shall not begin (including any works of demolition and site clearance) until such time as a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be implemented in accordance with the approved details throughout the construction period. The CMP shall include, but is not restricted to:-

- site management arrangements, including on-site storage of materials, plant and machinery; on-site parking and turning provision for site operatives, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site;
- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the site does not carry mud or deposit other materials onto the public highway;
- details of measures to minimise construction waste and to maximise recovery and recycling.

Reason:- In the interests of general amenity.

Ecology/Trees

14) No development shall begin during the bird nesting season (1 March – 31 August inclusive) unless a report has been submitted to and approved in writing by the Local Planning Authority, following inspection by a suitably qualified ecological consultant, to demonstrate that affected buildings, trees, shrubs or hedgerow are not in active use by nesting birds. If nested birds are located, work shall cease on that part of the site until the ecological consultant has confirmed in writing to the Local Planning Authority that nesting is completed and fledged young have departed the site.
Reason:- In the interests of nature conservation.

15) Before development begins (including any works of demolition and site clearance) 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. Such measures shall be retained in position for the duration of the construction period. 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.
Reason:- In the interests of nature conservation.

16) Development shall not begin (including any works of demolition and site clearance) until such time as an Ecological Management Plan (EcMP) including a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority for both the application site and land outside of the application site as defined by drawing ref. “revised location plan” dated 17th May 2017. The approved EcMP shall be

implemented in full in accordance with the approved timetable. The EcMP shall include, but is not restricted to:-

- hours during which works of construction (including works of demolition and site clearance) can take place;
- all aspects of habitat creation and ongoing management, including avoidance, mitigation and compensation measures to address potential impacts on legally protected species;
- a scheme for the erection of 'wildlife fencing' around the proposed development boundary during the construction period;
- a scheme to manage appropriately Indian Balsam during pre-construction, construction and post-construction periods in order to prevent its spread;
- no plastic sheeting or mesh shall be used on any scaffolding erection during the construction period, in order to prevent potential snaring and entanglement of volant bats in the surrounding landscape;
- best practice with regard to mammals shall be followed for the duration of works, with any footings/holes to be covered at night, or a suitable method of escape provided;
- the provision of a buffer zone of at least 10 metres in width alongside the adjacent watercourse, in order to reduce potential impact on aquatic/riparian species including otter and water vole. No waste materials or contaminates shall be deposited within the buffer zone. No heavy machinery is to be used within the buffer zone. Any works that may affect the buffer zone/river corridor should be carried out under ecological supervision. If any evidence of otter or water vole is found during works, then all works shall cease and a suitably qualified ecologist shall be consulted to advise on how best to proceed;
- details of methods to be employed during all construction works, including earthworks, to limit silt mobilisation into and pollution of nearby water channels, and storm water run-off, in accordance with the Environment Agency guidelines: EAPPG5;
- measures to be employed during construction (including works of demolition and site clearance) for any on-site storage of chemical and/or fuel storage; for on-site re-fuelling of machinery and vehicles; and for dealing with fuel spillage incidents;
- measures to minimise dust emissions during the construction process (including works of demolition and site clearance).

Reason:- In the interests of nature conservation.

17) Development shall not begin until details of a wildlife sensitive lighting scheme for any external areas to be illuminated (to be informed by an assessment of areas on the site that are particularly sensitive in terms of wildlife interest) has been submitted to and approved in writing by the local planning authority. No external lighting shall be installed at the site except in complete accordance with the approved scheme.
Reason:- In the interests of nature conservation.

Contamination

18) Other than as may be required by an approved scheme of remediation, no development

shall take place (including works of demolition and site clearance/preparation) until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site, has been submitted to and approved in writing by the local planning authority, and has been implemented in accordance with the approved details:

1. A preliminary risk assessment which has identified:

i) all previous uses;
ii) potential contaminants associated with those uses;
iii) a conceptual model of the site, indicating sources, pathways and receptors;
iv) potentially unacceptable risks arising from site contamination.

2. A site investigation scheme based on 1 above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in 2 above and, based on those, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development.

4. Following completion of the measures in the approved remediation scheme, a validation report that demonstrates completion of the remediation strategy referred to in 3 above is complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

19) No top soil or fill material is to be imported onto the site unless and until it has been tested for contamination and assessed for its suitability for the proposed development in accordance with a testing methodology that has previously been submitted to and approved in writing by the local planning authority. The methodology shall include arrangements for the submission and approval of validation results.
Reason:- (common to 18-19): To ensure 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.

20) Development shall not commence until a site specific scheme for protecting the proposed residential units from noise, has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms, less than 40 dBLAeq in living areas and 50dB LAeq in outside living areas.
Reason:- To protect occupiers from noise and safeguard their residential amenities.

Plans

21) This permission shall refer to the following drawings: Revised Location Plan 1:1250 Stamped Approved by Ben Haywood at7.08pm on 17th May 2017

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Reason: For the avoidance of doubt.

Informative(s)

1. This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

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.