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

Mr Malcolm Sales
Malcolm Sales
Churchill Suite Lulworth House
Cheadle
Staffordshire
ST10 1AR

Mr Heaton
Tick Hill Farm Caverswall Common
ST11 9EX

Application no: SMD/2016/0515

Determined on: 12th June 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:
Home Farm High Street Dilhorne Staffordshire ST10 2PE

Description of Development:
Proposed erection of 10 dwellings

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2.The development hereby permitted shall be carried out in accordance with the following approved plans:
1511 11 22 (Location Plan), 24 (Plots 8-10 bungalows), 25G (Proposed site layout), 27B (Plots 1-6 floorplans), 28B (Plots 1-6 Elevations) and 30 (Plot 7 Elevation and floorplan).
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

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3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 Part 2 Class A, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.
Reason:- The application has sought relief from the provision of affordable housing on the basis of the Ministerial statement of 28th November 2014 (upheld by the Court of Appeal 13/5/16) and the restiction of gross floorpspace to no more than 1000 square metres and in the interests of the character and appearance of the area.

4. Notwithstanding any details shown on the approved plans, the development hereby permitted shall not be commenced until full details of the following have been provided and approved in writing by the Local Planning Authority :-
- External facing materials
- Hard surfacing
- Eaves and verge details
- Fronatge boundary wall (including construction, height, materials and copings)
- Window and door detail (including materials and glazing bar subdivisions)
- Means of enclosure including internal subdivsion of plots

The development shall thereafter be carried out in accordance with the approved details and thereafter retained.
Reason:- To ensure a high quality external appearance in the interests of the character and appearance of the area

5. Notwithstanding the submitted details the roofing material for the entire development shall be Staffordshire blue plain clay tiles and shall thereafter be retained as such.
Reason:- To ensure a high quality external appearance in the interests of the character and appearance of the area

6 Notwithstanding any details shown on the approved plans, the windows and doors of the proposed development shall be set back a minimum of 75mm from the edge of the brickwork around the window opening and thereafter retained.
Reason:- To ensure an appropriate external finish In the interests of the charatcer and appearance of the area.

7.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) which is audible at the site boundary.
Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

8.No development approved by this planning permission shall take place until a detailed

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remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops,livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:
a. A site investigation scheme, based on the information already provided to support a detailed assessment of risks to all receptors that may be affected, including those off site.
b. The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and A remediation strategy giving full details of remediation objectives and remediation criteria
c. A validation plan providing details of the data that will be collected in order to demonstrate that the all works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
The scheme 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. The development shall take place in complete accordance with the approved scheme.
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.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.

10.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 commence any further until an initial investigation and risk assessment has been completed in accordance with a scheme to be first agreed in writing by the Local Planning Authority, which shall 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 further 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 shall be subject to the written approval of the Local Planning Authority. Development shall thereafter be undertaken in accordance with the

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approved details.
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.

11.No top soil / 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 in writing by the Local Planning Authority prior to the soil/material 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.

12. No development, including demolition, hereby permitted, shall take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-
I. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
III. a scheme for recycling/disposal of waste resulting from the demolition/construction works;
Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.
Reason: To protect the amenities of the area during construction

13.Notwithstanding the submitted details and before the commencement of development a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authroity. Such a scheme shall include provision for planting a new mixed native species hedgerow including standard hedgerow trees along the north-eastern and north-western boundaries of the site. The landscaping scheme so submitted shall include full details of all new tree and shrub planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The approved landscaping scheme 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

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suitable season.
Reason:- To ensure an acceptbale external finish in the interests of the character and appearance of the area.

14.The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall subsequently be implemented before the development hereby approved is first brought into use.
Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

15.The development hereby permitted shall not be brought into use until the visibility splays of 2.4mx43m shown on plan 1511/11/25G 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:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety

16. The development hereby permitted shall not be brought into use until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority
- bellmouth broadly in line with layout on drawing 1511/11/25G;
- 1.8m footway on frontage of plots 4 - 6;
- dropped crossings and tactile paving at bellmouth;
- resurfacing of footway on frontage of plots 1 to 3;
- road construction;
- demarcation of highway boundary across bellmouth;

The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1 and T1 and in the interests of highway safety.

17.The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided (with remote parking bays allocated) in accordance with the approved plan 1511/11/25G. The parking and turning areas shall thereafter be retained unobstructed for the purposes of parking and turning of private cars for the life of the development.
Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

18. The development hereby permitted shall not be brought into use until the existing site access bellmouth and existing dropped crossing outside plot 1, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted, is permanently closed and the access crossing reinstated as footway with full height kerb.
Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and to avoid a proliferation of redundant and over

long accesses

19.The development hereby permitted shall not be brought into use until a surface water drainage interceptor or gullies, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary
Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and to prevent surface water being discharged onto the highway

20.Notwithstanding any details shown on the approved plans no development shall be commenced until revised access details indicating the following have been submitted to and approved in writing by the Local Planning Authority:

- connection of kerblines through to turning head;
- widening of carriageway on bend or overrun areas;
- extent of turning head defined;
- relocation of parking bays to plot 8 to reduce paved area;

The access shall thereafter be carried out in accordance with the approved details and be completed prior to first occupation and shall thereafter be retained as such for the lifetime of the development.
Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and the finished appearance of the development.

Informative

1.The Council has negotiated a sustainable form of development which complies with the NPPF.

2. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 219 to 226 exemption under the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. Section 38 agreement may be required for adoption of 1.8m footway across former access. The existing dropped crossing and bellmouth access to the site shall be reinstated to footway with full height kerb in accordance with details to be submitted and SCC requirements. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact 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)

3.This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 219 to 226 exemption under the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. Section 38 agreement may be required for adoption of 1.8m footway across former access. The existing dropped crossing and bellmouth access to the site shall be reinstated to footway with full height kerb in accordance with details to be

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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.
13.