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

Miss Natalie Hewitt
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2 - 4 Cross Street
Cheadle
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Mr Vincent
75-77 Shelton New Road

Application no: SMD/2016/0492

Determined on: 27/06/2017

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:
Bagnall Heights Bagnall Road Bagnall Staffordshire

Description of Development:
Proposed extension to provide additional 14 single storey units to existing care village

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 51 of the Planning and Compulsory Purchase Act 2004.

2. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved by the Local Planning Authority. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless otherwise agreed in writing by the Local Planning Authority and in this case only following careful

inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.
Reason:- Having regard to policy NE1 of the Staffordshire Moorlands Core Strategy.

3. Any mature tree to be removed or to have substantial crown pruning operations carried out shall first be carefully inspected for the potential to provide bat roosting opportunities. Any tree which has such potential (which could include cavities, splits, decay pockets, hollow stems or branches, areas of loose bark, dense ivy or dense epicormic shoots) shall be subject to a further detailed and if necessary climbing inspection by a licensed bat worker immediately prior to felling or pruning, and all felling and pruning of such trees shall take place in the presence of the bat worker who can then immediately advise on appropriate measures if bats are discovered during dismantling, felling or pruning operations.
Reason:- In the interests of European Protected Species.

4. Before the commencement of development (including any site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of 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 as set out in the Tree Heritage Arboricultural Report reference THL-R16/91 submitted with the planning application hereby approved, and shall be retained in position for the duration of the period that the development takes place, unless otherwise agreed in writing 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:- To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired.

5. Before the commencement of development (including any site clearance, stripping or site establishment) a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme 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 landscaping scheme so approved shall be fully implemented before the end of the first available planting season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with the approved 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:- To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area. In accordance with policy DC1 and DC3 of the Staffordshire Moorlands Core Strategy.

6. The development hereby permitted shall be not be commenced until such time as a scheme for the provision of foul and surface water drainage is submitted to and approved in writing by the Local Planning Authority. Surface water drainage shall be restricted to 5 litres per second and include surface water attenuation upto the 100 year plus 40% climate change storm and supply details of future maintenance. The approved scheme shall be implemented in accordance with the approved details before the development is first brought into use.
Reason:- To ensure that the site is provided with a satisfactory means of drainage as well and to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

7. 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. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.
Reason:- To comply with the National Planning Policy Framework paragraph 32; to comply with the Staffordshire Moorlands Core strategy policy DC1; in the interests of highway safety.

8. The development hereby approved shall not be brought into useuntil visibility splays of 2.4mx65m to the east and 2.4mx120m to the west have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.
Reason:- Having regard to the intensification of the existing access and to comply with the National Planning Policy Framework paragraph 32; to comply with the Staffordshire Moorlands Core strategy policy DC1; in the interests of highway safety.

9. 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, F, G and H and/or Part 2 Class(es) A, B and C, other than those expressly authorised by this permission, 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 to safeguard the character and visual amenities of the area and Green Belt, and to ensure that adequate private open space is retained within the curtilage of the building. Toensure that the development accords with Policies DC1 and R1 of the Staffordshire Moorlands Core Strategy.

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10. Prior to the commencement of development a Construction Method Statement for the demolition and/or construction of the development hereby approved shall be submitted to, and approved in writing by the Local Planning Authority. The Construction Method Statement shall include details in respect of the provision of wheel washing facilities during excavation, the preparation of the site and the construction stages of the development; provision of parking facilities for contractors during all stages of the development; hours of work; hours of deliveries/collection of plant and materials to and from the site; details of the site compound.The development shall be carried out in accordance with the approved Method Statement. Reason:- In order to minimise the amount of mud, soil and other materials originating from the site being deposited on the highway; to prevent inadequate parking, turning and manoeuvring for vehicles; and inadequate materials storage in the interests of highway safety, visual amenity and environmental management. Having regard to policy DC1 of the Staffordshire Moorlands Core Strategy.

11. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture to those used in the existing building.
Reason:- To ensure the external appearance of the development is appropriate to its surroundings in accordance with Policy DC1 of the Staffordshire Moorlands Core Strategy.

12. The development hereby permitted shall only be used as a care village complex, that is for the provision of care and support to residents, falling within the class C2 of the Town and Counrty Planning (use classes) Order 1987 (as amended). There shall be no other uses introduced to the site at any time and no use of any non-residential areas shown on the approved drawings to form additional residential accommodation.
Reason: For the avoidance of doubt as to what is permitted and to avoid an intensification of the use of the site.

13. The residential accommodation hereby permitted shall only be occupied by persons aged 55 and over and where there is more than one occupant of any unit of accommodation, at least one occupant shall be expressly under written contract with the site operator to receive care and support by the operator. In addition the spouse and any dependents of the above occupiers may also reside together with them in the same unit.
Reason:- For the avoidance of doubt as to what is permitted.

Informative

This application was considered at Planning Committee on 23rd March 2017 where members resolved to approve the proposal. In light of the development being departure from the Local Plan the application has been presented to the Secretary of State. Written confirmation has been received to advise of the SoS's decision to not call-in the application

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and that the application should be determined by the Local Planning Authority.

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.
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