STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mrs Bostock
16 Oakdene Close
Stoke-On-Trent
ST11 9NN

Application no: SMD/2017/0401

Determined on: 1st September 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:
16 Oakdene Close Blythe Bridge Staffordshire ST11 9NN

Description of Development:
Outline permission for proposed bungalow with all mattters reserved

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):

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of 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).

2. The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called 'the reserved matters') before any development is commenced.

i) access
ii) layout
iii) scale
iii) appearance
iv) landscaping

Reason: The application is an outline application under the provisions of Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

3. Application for approval of the reserved matters shall be made to the Local Planning

Authority before the expiration of three years from the date of this permission.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

4. The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-
1:1250 scale red-edged plan submitted accompanying letter dated 24th June 2017
Reason: To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

5. 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, C, D, E, F and/or Part 2 Class(es) B, 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: To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, to ensure that adequate private open space is retained within the curtilage of the building and to prevent any harmful impact upon nearby protected trees.

6. The development hereby permitted shall not be commenced until samples/details of the 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.

7. 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 building(s), 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: In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

8. Prior to the commencement of works on site, joinery details for all windows, doors and exposed rafters shall be submitted to and approved in writing by the Local Planning Authority. Submitted details shall include those of opening mechanisms, colour/finish, recess depth of the frame within the aperture. The development shall then be carried out in accordance with the approved details and retained for the lifetime of the development.
Reason: In the interests of visual amenity.

9. Prior to the commencement of works on site, eaves and verge details shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and retained for the lifetime of the development.
Reason: In the interests of good design and visual amenity.

10. Before the commencement of development (including any site clearance, stripping, site establishment, and creation of temporary or permanent new 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 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: In the interests of protecting important trees.

11. No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
- means of access;
- provision of parking, turning and servicing within the site curtilage;
- details of parking for existing dwelling;
- means of surface water drainage;
- surfacing materials;
- visibility splays;

The development shall thereafter be implemented in accordance with the approved details and be so completed prior to first occupation of the development.
Reason: to comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

12. No construction work shall be carried out, and no materials or waste shall be delivered to or from site, other than between the hours of:
- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

All noisy activities shall be restricted to the above times. 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.

13. 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 should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to 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 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 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.
Reason: To ensure that risks from land contamination to the future users of the land and

neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

14. 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 should be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should 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 to by the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16. The development hereby permitted shall not be commenced until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of any of the buildings on the site.
Reason: To provide adequate privacy and an acceptable external appearance.

Informatives

1. A subsequent reserved matters application should be accompanied by a tree survey/arboricultural impact assessment report in accordance with British Standard 5837:2012 Trees in Relation to Design, Demolition and \Construction – Recommendatio

2. Attention is drawn to condition number 5 of this approval, the effect of which is to withdraw permitted development rights in respect of development which would otherwise not require planning permission. You are advised to contact the Local Planning Authority Development Control Section telephone 0345 6053013 before undertaking any other development in the future in order to ascertain whether planning permission is required.

3. The proposed outline development is judged suitable and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraphs 186-187.

4. The access to the site shall be constructed in accordance with drawings to be submitted and with Staffordshire County Council 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/

5. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

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 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

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.

6. Please note that when submitting a Building Regulationsapplication, the Building Control Officer is required to check the sewer maps supplied by Severn Trent Water and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Sevrn Trent can direct the Building Control officer to refuse Building Regulations approval.

7. This Permission does not confer on the Applicant the right to build on or over land owned by a third party without the third party's consent. You should therefore seek the prior agreement of your neighbour(s) before entering their land.

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council

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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.

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.