STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Miss Catherine O'Toole
Pegasus Group
5 The Old Priory
Canwell
Sutton Coldfield
B75 5SH

Application no: SMD/2017/0065

Determined on: 8th September 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:
Top Of The Trent Woodland Street Biddulph Staffordshire ST8 6LW

Description of Development:
Demolition of public house and redevelopment of the site to provide 14 dwellings comprising 6 semi-detached 3 bedroomed dwellings and 2 detached 4 bedroomed dwellings and associated works

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:-

Amended Site Plan: 050-2016-003 dated 22.8.17
050-2016-007 also to include Plots 6 and 7
050-2016-12 Revision P dated 21.8.17 and received on 30.8.17
050-2016-13
050-2016-0014
050-2016-15

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

3. 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.

4. 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

5. 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 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 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.

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6. 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 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 to 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.

7. 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 in writing 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.

8. 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 and F and Part 2 Class A shall be carried out at any of the dwellings hereby permitted 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 visual and residential amenities of the area.

9. Before the commencement of development (including any demolition, site clearance, stripping, site establishment or creation of 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 the character and appearance of the area.

10. The planting buffer areas adjacent to the north, south and east boundaries of the site and the green open space adjacent to the north and east boundaries of the site shall be

provided in accordance with the approved plans and tree, shrub and hedge planting shall be provided within these areas. 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. These details shall include:
- Means of enclosure
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 and residential amenities of the area.

11. 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 and residential amenities of the area.

12. Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey shall be carried out to check for nesting birds and the results submitted to and approved in writing by the Local Planning Authority. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.
Reason:-
In order to protect the biodiversity value of the site.

13. The development hereby permitted shall not be brought into use until details of the following off-site highway works have been submitted to and approved in writing by the Local Planning Authority:
- bellmouth;
- alteration to road markings and signs;
- extent and detail of vehicle access crossing to plots 11 to 14;
- dropped crossings and tactiles across proposed access and connections to existing footway network around resulting crossroads;
The off-site highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

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Reason:-
In the interests of highway safety.

14. The development hereby permitted shall not be commenced until details of the following internal highway works have been submitted to and approved in writing by the Local Planning Authority:
- maximum longitudinal gradient of 1 in 20 for first 10m, 1 in 15 thereafter;
- extent of paving to parking areas for plots 1 to 9;
- extent of vehicle access crossings to individual plots or groups of plots;
- extent of turning head including minimum 1m between transverse kerbline and boundary;
- dropped crossings and tactile paving;
- gateway feature to define shared surface.

The internal highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason:-
In the interests of highway safety.

15. The development hereby permitted shall not be brought into use until details of the 2m X 43m visibility splays at the development access 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 600 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development being brought into use.
Reason:-
In the interests of highway safety.

16. The development hereby permitted shall not be brought into use until details of surface water drainage interceptor across the mouth of any access that falls towards the highway or proposed highway, connected to a surface water outfall or drained to SUDS principles, have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason:-
In the interests of highway safety.

17. The development hereby permitted shall not be brought into use until the access drives rear of the public highway have been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the plot boundary.
Reason:-
In the interests of highway safety.

18. The dwellings hereby approved shall not be occupied until the accesses to each respective dwelling have been completed.
Reason:-
In the interests of highway safety.

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19. The development hereby permitted shall not be brought into use until those lengths of the existing site accesses, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted are permanently closed and the access crossing reinstated as footway with full height kerb.
Reason:-
In the interests of highway safety.

20. Before the commencement of works, details of the roof eaves design and materials including any cornices, soffits, fascia boards, barge boards, soldier course bricks shall be submitted to and approved by the Local Planning Authority and the approved details shall be provided in the development.
Reason:-
In the interests of the appearance of the development.

21. Before the commencement of works, details of the type, texture and colour of the finishing materials for the development including the main bricks, roof tiles, feature bricks, window frames, lintels, external doors, guttering, rainwater goods and hard-surfacing shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.
Reason:-
In the interests of the appearance of the development.

22. No development shall commence on site until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including the green open space in the north-east part of the site and the planted buffer areas adjacent to the north, south and east boundaries of the site but excluding the domestic gardens for each plot, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.
Reason:-
In the interests of the appearance of the development and surrounding area.

23. The development shall not 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:-
-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;
-Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
-A scheme for recycling/disposal of waste resulting from the demolition/construction works;
-The arrangements for prior notification to the occupiers of potentially affected properties;
-The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
-The parking of vehicles of site operatives and visitors;
-The loading and unloading of plant and materials;
-The storage of plant and materials used in constructing the development;

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-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
-Details of measures to protect the public footpaths and amenity of users of the pubic footpaths crossing the site during the construction works.
Once approved, all relevant activities on the site shall 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.

Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are
secured before commencement of works.

3. The conditions requiring highway works; alteration to road markings and signs; closure of redundant accesses (or parts of); widening of footway; tactile paving and pram crossings; bellmouth; vehicle access crossings; shall require
a Minor Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a link to a Minor Works
Information Pack and an application form for the Minor Works Agreement. 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/

4. If a TRO is required or is required to be altered, a Major Works Agreement will be required. The dropped crossing to the site shall be constructed in accordance with details to be submitted and 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/

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5. The existing dropped crossing to the site shall be reinstated to footway 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)

6. The applicant's attention is drawn to the Secured by Design Homes 2016 document which contains a raft of best practice guidance on layout considerations in relation to crime prevention and provides comprehensive guidance on minimum recommended physical security standards and specifications for such things as external doors and ground floor/accessible windows, which would satisfy Building Regulation Approved Document Q (Security). The applicant could do no better than to follow the guidance contained within the Secured by Design Homes 2016 document. The inclusion of laminated glazing rated to P1A in the ground floor windows and external doors, and a 13A fused spur for an intruder alarm for each property would be prudent additions.

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.

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.