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

Hewitt and Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire Moorlands
ST10 1NP

Mr and Mrs Lovatt
Croxton
76 Tean Road
Cheadle
Staffordshire moorlands
ST10 1LY

Application no: SMD/2017/0478

Determined on: 24/11/2017

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:
Croxton 76 Tean Road Cheadle Staffordshire Moorlands ST10 1LY

Description of Development:
Proposed new dwelling adjacent to 76 Tean Road

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 accordance with the details as submitted in the application form and submitted specifications and as shown in drawings: 00508 PL(0)10 Revision C.
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Prior to the commencement of development details including types and colours along with samples if requested of all roofing materials, facing materials and hard surfaces shall have been submitted to and approved in writing by the Local Planning Authority. The

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development shall thereafter be carried out in accordance with the details as subsequently approved.
Reason: To ensure that the works harmonise with the existing development.

4. Prior to the commencement of development hereby permitted there shall be submitted for the written approval of the Local Planning Authority 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. The development shall be implemented in accordance with the levels details as subsequently approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.
Reason: In order to ensure the satisfactory appearance of the development and its appropriate relationship to the site and adjoining land.

5. Prior to the commencement of development (including any demolition, site clearance, stripping or site establishment) there shall be submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. Such a scheme shall include full details of all new tree, shrub and hedge planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting, together with management proposals for existing trees and hedgerows to be retained along with measures for their protection in the course of the development. The landscaping scheme so approved shall be fully implemented before the end of the first available planting season (November to February inclusive) following the first coming into use of the development. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and be maintained for the lifetime of the development.
Reason: In the interests of the visual appearance of the development and the amenities of the area.

6. Prior to the commencement of development details of all boundary treatments and hard landscaping shall be submitted to the Local Planning Authority and approved in writing and prior to the first occupation of the development shall be completed in accordance with the design details as subsequently approved.
Reason: In the interests of the visual appearance of the development and the amenities of the area.

7. Prior to the commencement of development hereby permitted drainage plans for the disposal of surface water and foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the details as approved 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. Prior to the commencement of development the ground floor rear side window of 76 Tean Road shall have been removed and walled up and a new window inserted into the rear ground floor elevation to serve the room affected.
Reason: in the interests of the amenities of the dwelling at 76 Tean Road.

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9. 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 anti social hours.

10. In the event that contamination, including surface coal measures are 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 continue further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing 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 risk exists to any identified receptors, development shall not continue 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 has been 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.

11. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed as approved drawing 00508 PL(0)10 C.
Reason: To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

12. The development hereby permitted shall not be brought into use until the revised access to the existing number 76 has been completed as approved drawing 00508 PL(0)10 C.
Reason: To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety. To reduce the proliferation of over wide accesses.

13. The development hereby permitted shall not be brought into use until the parking and turning areas for the proposed dwelling and existing dwelling have been provided in accordance with the approved plan 00508 PL(0)10 C. The parking and turning areas for proposed and existing dwellings shall thereafter be retained unobstructed as parking and turning areas 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.

14. The garage indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without the

prior express permission of the Local Planning Authority.
Reason: To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

15. 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 additional windows or any other openings other than those shown on the approved plans shall be installed in any part of the development, unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason: To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

16. 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 Classes A; B; C; D; E; F and G and Part 2 Classes A and 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 or shared amenity space is retained within the curtilage of the building.

Informatives

1. Severn Trent Water advise that there is a public sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

2. Coal Authority standing advice - development low risk area. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining. Further information is also available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

3. The dropped crossing to the site shall be constructed in accordance with the submitted drawing 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: nmu@staffordshire.gov.uk)
See: http://www.staffordshire.gov.uk/transport/staffshighways/licences/

4. The existing dropped crossing to the site shall be reduced in size in accordance with the submitted drawing 00508PL(0)10 C. Please note that prior to the works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood

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

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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.

X B.J. Haywood

Signed by: Ben Haywood

Signed 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.