STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Mr Neil Green
Architectural Design Development Ltd.
Caledonian House Tatton Street
Knutsford
WA16 6AG

Mr Shaw
38 Tamworth Street
Lichfield
WS13 6JJ

Application no: SMD/2017/0669

Determined on: 22nd December 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:
Land Adj To Threeways Farley Road Oakamoor Staffordshire

Description of Development:
Construction of 4no. 3-bed semi detached houses, with associated car parking and landscaping.

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 permitted shall be carried out in accordance with the following approved plans: 1714-GO1C, 1714-GO2C, 1714-GO3B, 1714-GO4C, 1714-GO5C, 1714-GO6C, 1714-GO7B, 1714-GO8C, 1714-L02A, 1714-L03.

Reason:- For the avoidance of doubt and in the interests of proper planning, in

accordance with the National Planning Policy Framework.

3. The external facing and roofing materials shall be as specified inthe application - Ibstock Birtley Olde English (red brick), Redland Landmark Slate 10 (grey roof tiles) unless the Local Planning Authority gives written consent to any variation.

Reason:- To ensure that the works harmonise with the existing development. To ensure that the works are in keeping with adjacent development.

4. The dwellings hereby approved shall not be occupied until the access to the site has been completed in accordance with the approved details.

Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and safeguard highway infrastructure.

5. The access to the site shall remain ungated.

Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and safeguard highway infrastructure.

6. No development shall commence until full details of the following have been submitted to and approved in writing by the Local Planning Authority:-

- means of surface water drainage including means of dealing with runoff from adjacent fields through the site;
- means of preventing surface water from entering the highway drainage system, which shall be achieved using sustainable means

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation.

Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and to safeguard highway infrastructure.

7. The development hereby permitted shall not be brought into use until the visibility splays shown on plan 1714 L02 A have been provided. The visibility splays 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 and safeguard highway infrastructure.

8. The development hereby permitted shall not be brought into use until the access, parking, and turning areas have been provided in accordance with the approved plans. These areas shall thereafter be kept free of all obstructions and retained for the purposes of access, parking and turning 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 and safeguard highway infrastructure.

9. The development hereby permitted shall not be brought into use until the 2 No. traffic signs within the proposed visibility splay have been taken down and re-erected as shown on drg 1714-LO2 A at the reduced level in accordance with details to be first submitted to and approved in writing by 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 and safeguard highway infrastructure.

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

- the existing road gully has been repositioned and reconstructed adjacent to the proposed radius kerb with new gully pot, cover and frame and the old gully connection sealed, pot broken out and void backfilled

the gully shall thereafter be relocated in accordance with the approved details and be 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 and safeguard highway infrastructure.

11. 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.

12. Development shall not commence until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed in writing with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.

If the site risk assessment indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, and approved in writing by the Local Planning

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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 approved in writing by the Local Planning Authority.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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.

13. 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 in writing 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.

14. The development, including any demolition, hereby permitted 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 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;
IV. The arrangements for prior notification to the occupiers of potentially affected properties;
V. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
VI. The parking of vehicles of site operatives and visitors;
VII. The loading and unloading of plant and materials;

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VIII. The storage of plant and materials used in constructing the development;
IX. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
X. 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 should be carried out in accordance with the 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 from dust.

15. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping, including boundary treatments, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection during the course of the development.

Reason:- In the interests of the visual appearance of the development and the amenities of the area.

16. All hard and soft landscape works, and boundary treatments, shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason:- To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

17. Prior to commencement of development details of refuse storage facilities and collection arrangments for the dwellings shall be submitted to and approved in writing by the Local PLanning Authority. The approved details shall be implemented prior to the dwellings being first occupied and retained without impediment to their use thereafter.

Reason:- In the interests of the amenity of the area, public health and highway safety.

18. 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 Part 2 Class(es) A, B and C, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

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Reason:- To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the site.

Informatives

1. The LPA has worked with the applicant to secure a sustainable form of development. Paras 186 & 187 of the NPPF have been adhered to.

2. The conditions requiring construction of the access, relocation of gully and replacement of the signs 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. 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/

All works will be at the developers cost.

3. 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

4. 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.
„h 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
„h Building Research Establishment Guidance Document ¡¥Control of Dust from Construction and Demolition Activities¡¦ (BR456)

5. 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.

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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.