STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

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Mrs Tebbutt
17 The Paddock
Cheadle
Staffordshire
ST10 1NW

Application no: SMD/2018/0156

Determined on: 25th May 2018

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:
17 The Paddock Cheadle Staffordshire ST10 1NW

Description of Development:
Outline permission with all matters reserved 3no. new detached dwellings

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:

a)-The siting of the building(s)
b)-The design of the building(s)
c)-The external appearance of the building(s)

d)-The means of access to the building(s)
e)-The landscaping of the site.

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 permitted shall be carried out in accordance with the following approved plans: Location Plan LT-SA-XX-XX-DR-A-0101 Rev P1.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

5. The reserved matters application shall include details of existing ground levels, proposed ground levels, proposed finished floor levels and the surrounding landform. Development shall take place in accordance with the approved details.

Reason: - To ensure the proposal is acceptable within the street-scene and does not detrimentally impact on neighbour amenities and to accord with CS policy DC1 and the NPPF.

6. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities resulting from the construction of the approved development 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.

7. The development hereby permitted, including any demolition/clearance required, shall not commence 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 development;
IV. The responsible person (e.g. site manager / office) who could be contacted in the event of any complaint(s);

Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development. Any alteration to this Statement shall be approved in writing by the Local Planning Authority prior to any deviation from the approved Statement.

Reason: To protect the amenities of the area from dust.

8. In the event that contamination, including surface coal measures, 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 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 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, submitted to and approved in writing by 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, submitted to and 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.

9. 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 writng 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 prior to the first occupation of the development.

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.

10. 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.

11. The reserved matters application shall be accompanied by a Tree Survey and Arboricultural Report to British Standard 5837. The submitted reserved matters shall be in accordance with the recommendations of the Report.

Reason: In the interests of visual amenity

12. The reserved matters application shall be accompanied by a Phase 1 Habitat Study, including details of any necessary mitigation measures. No development shall take place except in complete accordance with any recommended mitigation.

Reason: In the interests of bio diversity.

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. It is noted that an indicative site plan (LT-SA-XX-XX-DR-A-0102 P2) was submitted with the application which demonstrates that 3 No. dwellings could fit within the site whilst adhering to Development Plan policies. Although the indicative plan was subject to public consultation it does not form part of the approval.

3. Depending on the design details, the access may require either a S184 agreement or works agreement with Staffordshire County Council.

The access crossing to the site shall be improved in accordance with details to be submitted and approved. 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 (if required).

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. Severn Trent Water advises that there may be a public sewer located within the application site. Although STW statutory sewer records do not show any public sewers within the area

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specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with 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 proposed buildings.

5. The applicant is advised to consult the Coal Authority Standing Advice, prior to submission of any forthcoming reserved matters application. Information on Coal Mining Risk Assessment can be found on the UK government Website:
https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments

6. Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment http://www.bsigroup.com

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.