STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Sammons Architectural Limited
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Carr
C/O Agent

Application no: SMD/2017/0809

Determined on: 14/06/2018

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:
HEATH HOUSE FARM COTTAGE OSTLERS LANE CHEDDLETON STAFFORDSHIRE ST13 7DQ

Description of Development:
Erection of a single storey dwelling.

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 not be commenced until samples facing materials 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.

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3. Prior to commencement of development the joinery details to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: the recess depth of frame within the aperture; moulded timber sections; finish; opening mechanism; and glazing bar subdivision. No development shall take place except in complete accordance with the approved details.
Reason:- To maintain the character and integrity of the setting of the Listed Building.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include:
- Details of areas of hard and soft landscaping, together with detailed annotation ofthe materials to be used;
- Details of boundary treatment, including stain colour to timber fencing.
The landscaping scheme shall be carried out in accordance with the approved details within the first planting season following first occupation of the approved dwelling.
Reason:- In the interests of the visual appearance of the development and the amenities of the area.

5. Prior to the commencement of development drainage plans for the disposal of foul and suface water flows shall be submitted to and approved in writing by the Local Planning Authority. The drainage shall be implemented in accordance with the approved details before the development is first brought into use.
Reason:- To ensure that the development is provided with satisactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise rsk of pullution.

6. 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:- In the interests of the amenity of nearby properties.

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, D, E and H and/or Part 2 Class(es) A other than those expressly authorised by this permission, shall be carried out within the curtilage of the dwelling hereby permitted without express

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planning permission first being obtained from the Local Planning Authority.
Reason:- Having regard to the location of the site within the Green Belt.

9. The development hereby permited shall not be brought into use until the visibility splays shown on plan 2016-2197-19-D have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.
Reason:- Reason:- To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

10. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing access (to the north of the proposed entrance) to footway with full height kerb, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority. The existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height kerb in accordance with the approved plans prior to the first occupation of the development.
Reason:- To avoid a proliferation of redundant accesses.

11. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced in a bound and porous material for a minimum distance of 5m back from the site boundary in accordance with details to be first submitted to and approved in writing by the Local planning authority. The access shall thereafter be maintained 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.

12. Any gates shall be located a minimum of 5m rear of the carriageway edge and shall open away from the highway.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

13. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
Reason:- The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

14. In the event that soil 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

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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.
Reasin:-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.

15. 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.

16. 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.

17. Prior to first occupation of the development hereby the approved the sound insulation measures as set out at appendix H and I of the submitted noise assessment (Peak Acoustics Proj:PA554) shall be installed in full. These measures shall be retained in perpetuity.
Reason:- In the interests of the amenity of future occupants of the dwelling hereby approved.

18. Prior to the commencement of development the outbuilding to Heath House Farm Cottage shown for demolition on the approved plans shall be

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demolished in it's entirety. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 or as subsequntly amended or re-enacted no outbuildings normally permitted by Class E of Schedule 2 to that Order shall be erected within the curtilage of Health House Farm Cottage.
Reason: To protect the openness of the Green Belt.

19. The development hereby approved shall be carried out in accordance with the following drawings:
2016-2197-18C - Elevations and floorplans
2016-2197-19B - Site Plan
2016-2197-20B - Location Plan
2016-2197-21B - Block Plan
Reason:- For the avoidance of doubt.

Informative

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

""A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

""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.

""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.

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""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.

2. This application is considered to constitute a sustainable form of development and so accords with the NPPF.

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 BControl@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

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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.