STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Mr Kevin Davis
DJD Architects
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Worcester
WR1 1HZ

Mr Swann
Old Park
Colliers Way
Telford
TF3 4AW

Application no: SMD/2017/0067

Determined on: 28/02/2019

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:
5-7 Bank Street and Land to the rear off Meadow Drive, Bank Street, Cheadle Staffordshire ST10 1NR.

Description of Development:
Application for variation of conditions 2, 5, 6, 7, 8, 10, 11, 12, 13, 15, 19, 20, 21, 24, 29, 30 and 31 relating to SMD/2014/0471.

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 carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications;

Ecological Appraisal Final Report. Report No. P90.T109.14 (Date 25th July 2014);
2015/K787/100(B) Location Plan;
2015/K787/101(K) Site Plan Proposed;
2015/K787/104(C) Site Sections;
2015/K787/210(F) Units 13-14;
2015/K787/212(E) Units 15-16;
2015/K787/214(E) Units 17-18;
2015/K787/216(F) Units 19-22;
2015/K787/218(G) Units 23-24;
2015/K787/220(F) Units 25-26;

2015/K787/222(G) Units 27-28;
2015/K787/224(D) Units 29-32;
2015/K787/225(E) Units 29-32;
2015/K787/227(E) Units 33-35;
2015/K787/229(F) Units 36-37;
2015/K787/231(E) Units 38-39;
2015/K787/233(E) Units 40-41;
2015/K787/235(E) Unit 42;
2015/K787/250(B) Construction Details;
2015/K787/252(B) Construction Details;
2015/K787/255(A) Construction Details;
2015/2015/K787/259(-) Fence Detail;
2015/K787/310(A) Proposed Basement Floor Plan;
2015/K787/311(H) Proposed Ground Floor Plan;
2015/K787/312(G) First Floor Plan;
2015/K787/313(H) Proposed Second Floor Plan;
2015/K787/320(D) Proposed Elevations;
2015/K787/330(C) Window Schedule 1;
2015/K787/331(B) Door Schedule;
2015/K787/359(A) Window with Spandrel Panel Details;
2015/K787/360(D) Replacement Window Details;
2015/K787/361(B) Proposed Entrance Screens;
2015/K787/368(-) Roof Details;
378-03 Rev E Engineering Layout Sheet 1;
378-04 Rev A Construction Details;
378-05 Rev A Engineering Layout Sheet 2;
378-09 Rev A Longitudinal Sections;
378-24 Emergency Access Barrier Detail;
378-25 Section 278 General Arrangement;
378-31 Rev B Site Levels and Drainage Layout Sheet 1;
378-32 Rev D Site Levels and Drainage Layout Sheet 2 and;
378-38 Rev A Highway Sections;

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

2. 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, F, G and H and/or 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.

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 each of the dwellings.

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3. None of the new build dwellings hereby approved shall be occupied until the refurbishment of 5-7 Bank Street (as identified on the above approved plans) has been completed in accordance with the Method Statement and details approved under condition number 4 and to a standard fit for occupation.

Reason:- To ensure the restoration and enhancement of the Bank Street buildings, in the interests of enhancing the character and appearance of the conservation Area and the setting of nearby listed buildings.

4. Notwithstanding the above approved plans the development hereby approved shall be carried out in strict accordance with;

2015/K787/8.0 Materials Schedule (B);
2015/K787/8.0 Method Statement and Schedule of Repair (B);
2015/K787/250 (B);
2015/K787/252 (B);
2015/K787/235 (E);
2015/K787/233 (E);
2015/K787/231 (E);
2015/K787/229 (F);
2015/K787/227 (E);
2015/K787/225 (E);
2015/K787/222 (G);
2015/K787/220 (F);
2015/K787/218 (G);
2015/K787/216 (F);
2015/K787/214 (E);
2015/K787/212 (E);
2015/K787/210 (F);
2015/K787/255(A);
2015/K787/368(-);
2015/K787/224(D);
2015/K787/101(K);
2015/K787/104(C);
2015/K787/310(A);
2015/K787/311(H);
2015/K787/312(G);
2015/K787/313(H);
2015/K787/320(D);
2015/K787/330(C);
2015/K787/331(B);
2015/K787/359(A);
2015/K787/360(D) and;
2015/K787/361(B)
which show the approved facing materials including proposed brick, render and tiles; details to eaves, verges, porches and chimneys; rainwater goods and external soil pipes; Joinery details for all windows and doors, including cills, lintels, headers, glazing, putty fixing, method

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of opening, finish and the glazed arch (within the Bank Street building) which should be recessed; Boundary details such as any walls, fences and railings; Vents, cowls and ducts; Method Statement and Schedule of repair for 5-7 Bank Street, including treatment of floors, internal and external walls (including pointing), basement, roof flues and pointing; Recording of basement; External surfacing materials; 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; details of proposed sheds and permanently retained as such for the life of the development.

Reason:- In the interests of securing a high quality development that enhances the character and appearance of the Conservation Area and the setting on nearby listed buildings.

5. Windows W.1.E.9, W.1.E.15, W.1.E.16, W.2.E.9A, W.2.E.14 and W.2.E.15 as indicated on drawing number 2015/K787/320(D) shallbe obscure glazed (Pilkington Optifloat Opal Privacy Level 5) and non-opening. The development shall be carried out fully in accordance with the approved details, completed prior to first occupation of the apartments hereby approved and retained for the lifetime of the development.

Reason:-In the interests of neighbour amenity.

6. Notwithstanding the above approved plans, windows and doors within the retained building shall be repaired wherever possible (or accurately replicated) in accordance with the submitted Method Statement and Schedule of Repair reference 2015/K787/8.0(B) and drawings 2015/K787/330 (C); 2015/K787/359 (A); 2015/K787/360 (D) and 2015/K787/361 (B) prior to the first occupation of the building and be retained for the lifetime of the development.

Reason:-In the interests of securing a high quality development that enhances the character and appearance of the Conservation Area and the setting on nearby listed buildings.

7. The access and all associated road construction, street lighting and drainage provision shall be carried out in strict accordance with the submitted plans numbers;

378-03 Rev E
378-04 Rev A,
378-05 Rev A;
378-09 Rev A;
378-24 Emergency Access Barrier Detail;
378-25;
378-31 Rev B;
378-32 Rev D;
378-38 Rev A prior to first occupation of the the properties hereby approved.

Reason:-In the interests of highway safety.
8. The Emergency Access Barrier as shown on approved drawing number 378-24 shall be for the use of emergency services only, shall be kept locked at all other times and keys shall not be provided to occupants of the residential units hereby approved. The Emergency

Access Barrier lock shall be immediately replaced in the event of it being removed by the emergency services or anyone else.

Reason:- In the interests of highway safety, for clarification as to what is approved and in accordance with the applicants intentions.

9. Should the finished surface levels of properties fall towards the Prospective Public Highway, before the development is brought into use access drives shall be constructed with drainage interceptors which shall be sited across the accesses immediately rear of the highway boundary, which shall be connected to Soakaway or other approved Surface Water Drainage System and be maintained in full operational order for the life of the development.

Reason:-In the interests of highway safety.

10. The development hereby approved shall be carried out in strict accordance with the submitted Site Environmental and Management Method Statement which shall be adhered to throughout the construction period of the approved development.

Reason:-In the interests of highway safety.

11. The highway safety works including:-
- the access off Bank Street to include adequate offsets from existing boundaries,
- revisions to Meadow Drive turning head including boundary details,
- emergency access from Meadow Drive,
- means to discourage/prevent through access from Meadow Drive to Bank Street and Vice versa and
- a method of screening/protecting number 10 Meadow Drive from vehicular headlights leaving the site

shall be carried out in accordance with the submitted drawings numbered 378-03 Rev E and 378-04 Rev A, 378-05 Rev A, 378-09 Rev A, 378-24; 378-25, 378-31 Rev B, 378-32 Rev D and 378-38 Rev A.

Reason:-In the interests of highway safety.

12. The off-site highway works shall be constructed in accordance with the approved details prior to the residential development being commenced.

Reason:-In the interests of highway safety.

13. Rectification of damage to the highway during site construction works, against submitted photographic schedule of condition (Photos dated 23rd January 2017) shall be completed prior to first occupation of the development unless agreed otherwise in writing by the Local Planning Authority.
Reason:-In the interests of highway safety.

14. The development hereby permitted shall not be brought into use until the access,

parking, servicing and turning areas have been provided in accordance with the approved plans.

Reason:-In the interests of highway safety.

15. The development hereby approved shall be carried out in strict accordance with drawings 378-03 Rev E and 378-38 Rev A and be completed prior to first occupation.

Reason:-In the interests of highway safety.

16. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless it has been demonstrated and accepted in writing by the Local Planning Authority that this is appropriate and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.

Reason:- In the interests of protected species.

17. Before the commencement of development (including any demolition, site clearance and stripping) 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. Within the fenced areas there shall be no excavation, changes in ground levels, 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 trees to be retained.

18. The planting plan shown on drawing number 2015/K787/101(K) shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees, shrubs and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:-In the interests of visual amenity.

19. None of the dwellings hereby approved shall be occupied until the areas of incidental open space (identified on the approved plans to the side of plot 13 and to the front of plots 17 and 18) have been provided and laid out in accordance with drawing 2015/K787/101(K) and the Wrekin Housing Trust Specification for Ground Maintenance. The incidental open spaces shall thereafter be provided and maintained in accordance with the submitted details for the lifetime of the development.

Reason:-To ensure the provision and maintenance of incidental open space on the site in

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the interests of enhancing the appearance of the development.

20. The conversion work in relation to building 1A (part of the Bank Street building) as identified within the submitted Ecological Appraisal, Report No. P90.T1509.14 (25th July 2014) shall be carried out in strict accordance with the mitigation and compensaton measures contained within the Ecology Method Statement and DJD Architects email detailed 20th January 2017 and there shall be no variation without the prior written consent of the Local Planning Authoroity.

Reason:-To ensure appropriate safeguard to the population of European Protected Species.

21. The development hereby approved shall be carried out in strict accordance with the scheme detailing the form and locations within the development, and measures to provide for nesting Blackbirds, Robins, Wrens and Swifts as contained on drawing number 2015/K787/101 (K) -and the accompanying Sheet from Pearce Environmental dated 24th November 2016 These measures shall be implemented in accordance with the submitted details prior to first occupation of the building and retained retained for the lifetime of the development.

Reason:-To ensure appropriate steps are incorporated to achieve sustainable development without loss to biodiversity.

22. Work on site affecting buildings other than 1A (part of the Bank Street building) as identified within the submitted Ecological Appraisal, Report No. P90.T109.14 (25th July 2014) shall be undertaken in accordance with the Working Method Statement contained at Appendix G to the submitted Ecological Appraisal (P90.T109.14).

Reason:-To ensure appropriate safeguard to the population of European Protected Species.

23. Before any work is undertaken involving pruning or felling of tree T3 (Weeping Willow) the appropriate 'Reasonable Avoidance Measures' with respect to trees as set out in the submitted Ecological Appraisal (P90.T109.14) at page 31 shall be followed.

Reason:-To ensure appropriate safeguard to the population of European Protected.

24. The development hereby approved shall be carried out in strict accordance with the scheme of archaeological investigation undertaken by SLR Consulting Report Reference 406-06406-00001 and there shall be no variation without the prior written agreement of the Local Planning Authority.

Reason:-In the interests of archaeology.

25. 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 unsocialhours.

26. 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. The sampling frequency, testing schedules, criteria against which the analytical results will be assessed and source material information should be carried out in accordance with Contamination Remediation Statement from GIP dated 29th September 2016.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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

27. 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 should 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, and is subject to the approval in writing of the Local Planning Authority.

Reason:-To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

28. 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.

29. The development hereby approved shall be carried out in strict accordance with the Contamination Remediation Statement from GIP dated 29th September 2016 and there shall be no variation without the prior written consent of the Local Planning Authority.

Reason:-To ensure that risks from land contamination to the future users of the land and

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neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

30. The development hereby approved shall be carried out in strict accordance with Sound Testing Environmental Noise Report 8350E Rev 2 and there shall be no variation without the prior written consent of the Local Planning Authority.

Reason:-To protect occupiers from noise and safeguard their residential amenities

31. The disposal of surface water and foul sewage shall be carried out in accordance with the details shown on drawing number 378-31 Rev B and 2378-32 Rev D prior to the development being first brought into use andpermanently so maintained unless otherwise agreed in writing by the Local Planning Authority.

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.

Informative

1. The applicant/developer is reminded that this decision and conditions attached to it shall be read in conjunction with Planning approval reference SMD/2014/0471 and the Supplemental Deed under Section 106A of the Town and Country Planning Act 1990 dated 11th February 2019 and relating to application reference SMD/2017/0067.

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 want to appeal against your local planning authority's decision then you must do so within 12

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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.