STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr & Mrs Barker
C/O Premier Garage Broad Street
Leek
ST13 5NS

Application no: SMD/2018/0528

Determined on: 27/06/2019

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:
Lock up Garages Broad Street Leek Staffordshire ST13 5NS

Description of Development:
Outline planning permission with all matters reserved for the demolition of the redundant lock up garage, construction of dwellings with landscaping and parking.

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):

Standard

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.
   Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 and thereafter the development shall only be carried out in accordance with the details as approved.
   Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

2004.

3. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced and thereafter the development shall only be carried out in accordance with the details as approved.
   Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Articles 4 and 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

4. The development hereby approved shall be carried out in accordance with the following submitted plans:- Site Location Plan (red edge plan).
   Reason:- To define the permission and in the interests of proper planning.

Mix and Size

5. The reserved matters application(s) shall be based on the Nationally Described Space Standards (NDSS).
   Reason:- To ensure dwellings of adequate size in line with national policy.

6. The mix of dwelling units at the reserved matters shall reflect the Council's Strategic Housing Market Availability Assessment (SMHAA).
   Reason: - To ensure an appropriate mix of units within the area.

Amenity (Noise)

7. The first reserved matters application shall be accompanied and informed by a site specific scheme for protecting the proposed residential units from adverse noise impacts in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms, less than 40 dBLAeq in living areas and 50dB LAeq in outside living areas. Prior to any part of the development first being occupied pre-completion tests shall be carried out to verify compliance with the submitted Noise Assessment SMM Safety Solutions (Report Date: 6th May 2019 Ref.:E16260). The raw data, calculations and results from the pre completion tests shall be submitted to the Local Planning Authority for its written approval before any of the units hereby approved are first occupied.
   Reason: To protect occupiers from noise and safeguard their residential amenities.

Amenity (Construction)

8. The development hereby approved, including site clearance shall not take place until a

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-

i. The hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
ii. 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;
iii. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
iv. a scheme for recycling/disposal of waste resulting from the demolition/construction works;
v. The arrangements for prior notification to the occupiers of potentially affected properties;
vi. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
vii. The parking of vehicles of site operatives and visitors;
viii. The loading and unloading of plant and materials;
ix. The storage of plant and materials used in constructing the development; and,
x. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

Once approved, all relevant activities on the site shall be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development.
Reason:- To protect the amenities of the area from dust

Contamination

9. No development including site clearance shall take place until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site in accordance with a written report of the findings and recommendations which shall be submitted to and approved in writing by the Local Planning Authority. If the site risk assessment (i) indicates potential risks exist, development shall not commence any further until a detailed remediation strategy to mitigate the identified risks and ensure the site is remediated to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The agreed remediation strategy (ii) shall be adhered to throughout the development. Following completion of the site remediation and prior to bringing the development into first use, a verification report demonstrating the effectiveness of the remediation carried out shall be submitted 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

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

10. 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 submitted to and approved 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 further 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 has been submitted to and approved in writing of 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 demonstrating the effectiveness of the remediation carried out shall be 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.

11. No top soil shall be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development in accordance with a suitable methodology for testing this material, which 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.

Waste Management

12. 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.

Flood Risk / Drainage

13. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

the approved details before the development is first brought into use.
Reason:- This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues, to minimise the risk of pollution and in the interests of highway safety

Ecology/Biodiversity

14. Demolition and site clearance must not be carried out between 1st March to 31st August unless a check for breeding birds has first been carried out by an ecologist and submitted to and approved in writing by the Local Planning Authority. In the event that breeding birds are present no work shall be carried out until the birds have finished breeding and all dependent young have left the site.
Reason:- All breeding birds, nests eggs and young are protected from harm under the Wildlife and Countryside Act 1981 as amended.

15. Demolition of structures shall be carried out carefully by hand to avoid impacts on bats. In the event that any bats are located during demolition, work must stop and Natural England must be contacted for advice.
Reason:- To avoid impacts on bats that are fully protected under the Conservation of Species and Habitat Regulations 2017.

16. No development shall commence until a lighting scheme has been submitted to and approved in writing. The scheme shall avoid illuminating any new artificial bat roosting features and minimise impacts on bats or birds. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
Reason:- to avoid impacts on bats that are fully protected under the Conservation of Species and Habitat Regulations 2017.

17. No development shall commence until a landscaping plan to include biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority and this should include:
    i. Creation of artificial bat roosting structures in at least four buildings;
    ii. Creation of bird nesting features in two buildings;
    iii. Planting appropriate to shade, aspect, moisture of native species providing food and foraging sources for native invertebrates. Planting should seek to maximise green infrastructure and include climbing species against the sides of houses.
    iv. Bee boxes / artificial site for invertebrates within a suitable location of gardens.
    v. Small garden ponds to increase biodiversity species richness of garden plots.
    vi. Ensure gardens are permeable to wildlife with appropriate hedge planting and gaps in the base of fences.

    Details shall be provided on: appropriate specifications, scale plans and drawings, the timing and persons carrying out works, details of remedial measures. Biodiversity enhancements shall be established in accordance with the approved details and all features shall be retained thereafter.
    Reason:- Biodiversity enhancement appropriate to the size and scale of development, to comply with the requirements of National Planning Policy Framework (NPPF) 2012 and Policy NE1 of the adopted Local Development Framework.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Informative(s)

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. Notwithstanding the consent hereby granted, nor any indication on the plans submitted with the outline application, any subsequent reserved matters application for detailed approval of layout shall be accompanied by a tree survey/arboricultural impact assessment report in accordance with British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and it is advised that the output from such a report be used to inform and guide the detailed layout design.

Invalid signature

X

Signed by: Jane.Curley

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.