STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

Hewitt & Carr Architects
Daisy Bank House
17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Mr Thompson
c/o agent

Application no: SMD/2019/0165

Determined on: 9th September 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:
Log Cabin HILL LANE MORRILOW HEATH STAFFORDSHIRE

Description of Development:
Erection of replacement 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 be carried out in accordance with the following approved plans: Drawing Nos. 00844-AL(0)01, 00844-AL(0)02B, 00844-AL(0)03B, 00844-AL(0)04C, and 00844-AL(0)05B.

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

3. The development shall be constructed in the external materials specified below unless otherwise approved in writing by the Local Planning Authority:-

Facing Brick Work : Ibstock Linear Brick in Birtley Olde English Grey
Composite Timber Cladding: Dura Cladding Resist fixed vertically in Red Cedar
Aluminium Windows and Doors Units (with RAL 7016 finish).
Roof : Single Ply Membrane in Grey

Reason:- To ensure that the external appearance of the development is satisfactory.

4. The construction phase of the development shall be undertaken in strict accordance with the details set out in the Arboricultural Method Statement and Survey Reports of Tree Heritage Date 22nd July 2019 (received on 22 July 2019). All tree protection measures as detailed shall be put in place prior to the commencement of development and shall be thereafter retained in situ until such time as the development has been completed unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure that the trees are not damaged during the period of construction.

5. Prior to the first occupation of the development hereby approved the parking and access facilities shall be provided in accordance with approved drawings listed at condition 2 above and thereafter be retained as available for their designated purposes for the lifetime of the development.

Reason:- In the interests of highway safety.

6. 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

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management of those risks.

7. 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.

8. Prior to the first occupation of the development hereby approved a detailed scheme of biodiversity enhancements for the site shall be submitted for the written approval of the Local Planning Authority. The scheme, which shall include plans/drawings to a metric scale, shall provide for the following:-
a) The installation of bat boxes and bird nest boxes as per the provisions detailed on pages 26 and 27 of the Absolute Ecology report ""Preliminary Roost Assessment for Bats & Birds - Location: Bromley Wood, Morrilow Heath, Staffordshire Date: March 2019 (V2 Amended August 2019)"" dated as being received on 22 August 2019.
b) The planting of perennial shrubs and plants, including climbing species, within the curtilage of the site.
c) An implementation method statement including a timetable of works and details of the persons undertaking the works.
d) An aftercare scheme providing for ongoing/future monitoring, repair and maintenance.
The scheme/works shall be carried out in strict accordance with the approved details (including the timetable for implementation) and thereafter be retained/maintained in accordance with the agreed aftercare scheme.

Reason:- To safeguard and enhance the ecology of the area in accordance with Policy NE1 of the Core Strategy and the National Planning Policy Framework.

9. Notwithstanding the provisions of Classes A, B, C, D, E and G of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, no chimneys shall be erected and no buildings or structures shall be erected within the curtilage of the new dwelling unless planning permission has first been granted by 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.

10. Notwithstanding the provisions of Class A Schedule 2 Part 2 of the Town and Country

Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, no gates, walls, fences or other means of enclosure (except for those approved by this consent) shall be erected within the curtilage of the dwelling unless planning permission has first been granted by 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.

Informatives

1. During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraph 38 of the National Planning Policy Framework.

2. Your attention is drawn to the attached comments of the Ecological Officer of Staffordshire Moorlands District Council who essentially points out that any future demolition of the outbuilding (currently being proposed to be retained) should be informed by further bat surveys. Indeed the applicant(s) are advised that this permission does not override any obligations in respect of protected species under relevant wildlife legislation. In particular, trees can provide a habitat for nesting birds and bats which are protected species. It is a criminal offence to wilfully cause harm to either. The works should therefore normally be carried out outside the bird nesting season, and if bats are discovered to be using any tree(s) as a roost, or are discovered during the carrying out of the works, a competent ecologist should be employed to ensure the bats are safeguarded.

3. Your attention is drawn to the comments of Cadent/National Grid in relation to their apparatus in the locality.

4. This permission is subject to a Unilateral Undertaking dated 22 August 2019.

5. The plans for the application show the inclusion of a new borehole supply to the premises. It is assumed that the borehole will only be used to supply water for human consumption at the Log Cabin. As a result the applicant will only need to register the supply with Environmental Health under The Private Water Supplies (England) Regulations 2016. However, if the supply is to be used for more than a single domestic dwelling, the supply must first be approved by Environmental Health before this can occur. In the case of a single domestic supply there is no requirement for this authority to risk assess or sample the supply unless requested by the owner, however, Environmental Health are still required by the Legislation to maintain a record of the supply.

6. Your attention is drawn to the attached comments of the Ecological Officer of Staffordshire Moorlands District Council in relation to breeding birds, open trenches and lighting in terms of mitigating impacts on protected species and other wildlife during the construction phase of

the development.

7. You are advised that any waste material associated with the demolition or construction phase(s) should not be burnt on site but should be kept securely for removal to prevent escape into the environment.

8. The Environmental Health Section advise that in the interests of the residential amenities of the locality that construction works should be restricted to the following days/times :-
- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working on Sundays or Bank Holidays

9. Your attention is drawn to the attached guidance note in relation to the applicants/developers responsibility for safe development and the secure occupancy of the site.

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.

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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