STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Ctd Architects
Clerk Bank House Clerk Bank
Leek
ST13 5HE

Mr Rhodes
Trent Head Farm Barrage Road
Biddulph Moor
ST8 7NU

Application no: SMD/2019/0253

Determined on: 29th November 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:
Trent Head Farm Barrage Road Biddulph Moor Staffordshire ST8 7NU

Description of Development:
Proposed 1 no 3 bedroom dwelling, 1 no 4 bedroom dwelling and the extension to the existing farmhouse, including proposed garages

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:
   AL101 Site Location Plan
   AL102 Site Block Plan
   AL105
   AL106 Revision B Site Plan
   AL107 Revision B Site Plan
   AL109 Revision B Site Section 1
   AL110 Revision B Site Section 2
   AL111 Revision B Site Section 3

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AL114 Revision B Drainage
AL115 Revision A Materials
AL125 Green Belt Replacement Plan
FH103 Farmhouse
FH104 Farmhouse Pland and Sections
A102 Revision A House Type A
A103 Revision B House Type A
B102 Revision A House Type B
B103 revision A House Type B
G03 Revision A Triple Garage
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. External Building materials shall be in accordance with those specified on plan number AL115 Revision A.
Reason:- To ensure the character and appearance of the development is acceptable and appropriate to the local vernacular.

4. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping or site establishment) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and as set out in the Tree Heritage Arboricultural Report reference THR19-28 dated 17th April 2019 submitted with the application hereby approved, and this shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority (LPA). Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, 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 LPA.
Reason:- To ensure that the trees are not damaged during the period of construction.

5. Within three months of commencement a revised Softworks Landscape Plan that takes account of the land that is to be restored to 'greenfield' condition (including details of a permement boundary between this land and the newly formed residential curtilages of the dwellings hereby permitted) shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be fully implemented before the end of the first available dormant season (November to February inclusive) following first occupation of the development hereby approved. The trees, shrubs, wildflower meadow 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:- To ensure the development has an acceptable impact on visual amenity

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and landscape character.

6. Within three months of the date of commencement details of boundary treatments of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected in accordance with the approved details prior to first occupation of dwelling to which it relates and shall be retained as such in perpetuity.
Reason:- Having regard to the openness of the Green Belt and the very special circumstances by which this application has been considered.

7. 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 at any of the dwellings subject to this permission 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 the building.

8. The development hereby permitted shall not be brought into use until the visibility splays of 2m x 43m shown on plan number AL106 revision B have been provided. The visibility splay shall thereafer be kept free of al obstructions to visibility over a height of 900mm above the adjacent carriageway level.
To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

9. The development hereby permitted shall not be brought into use until the parking, servicing and turning areas have been provided in accordance with the approved plans. These areas shall be retained unabstructed as parking, turning and servicing areas for the life of the development.
Reason:- To comply with NPPF Paragraph 108; 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 the access drive rear of the public highway has been surfaced in a bound and porous material for a minimum distance of 8m back from the carriageway edge in accordance with the approved plan AL107 Revision B. The surfacing shall thereafter be maintained.
Reason:- To comply with NPPF Paragrpah 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

11. Any gates shall be located a minimum of 8m rear of the carriageway edge and shall open away from the highway.
Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the intersts of highway safety.

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12. 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 unsocial hours.

13. In the event that contamination, including potential Asbestos Containing Materials (ACM's), 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 recommence 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 submitted to and approved 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 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.

14. Prior to bringing the development into first use, soil used in the creation of garden and soft landscaping areas shall be tested for contamination to ensure suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writingn by the Local Planning Authority and shall include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed. The results of the soil tests shall be submitted and approved in writing by the Local Planning Authority. If soil test results indicates that a potential contamination risk exists, development shall not be brought into use, until a detailed remediation strategy to bring the site to a condition suitable for the intended purpose has been 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 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,

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

15. 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.

16. In accordance with the recommendations outlined within the submitted survey carried out by Cheshire Ecological Services Ltd dated May 2019, prior to the demolition of buildings A, B ad C identified by the survey, a bat emergence / re-entry survey shall be carried out following best practice. The survey shall be submitted to and approved in writing by the Local Planning Authority prior to works to these structures commencing.
Reason:- To avoid impacts on roosting bats. All bats and their roost sites are protected under Conervation of Habitats and Species Regulations 2017.

17. Artificial lighting shall be fitted within downward pointing cowls, with no free standing lighting columns, and shall include the use of motion sensing and be time limited to avoid the time one hour after dusk and one hour before dawn. The use of artifcial lighting must follow the protocols outlined in the institute for Lighting Engineers document ""Guidance for the Reduction of Obstrusive Lighting"" (2005) and Bat Conservation Trust's ""Articial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Articial Lighting"" (2014) to minimise distubance and sky-glow across the site.
Reason:- To minimise impact of foraging bats.

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

19. Within three months of the date of commencement a scheme for the incorporation of biodiversity enhancements in the form of bat and bird boxes in accordance with best practice shall be submitted to and approved in writing by the Local Planning Authority. The approved enhancements shall be completed in accordance with the approved details prior to first occupation of each respective unit.
Reason:- Policy NE1 of the SMDC Core Strategy: Ensuring development promotes appropriate maintenace, enhancement or restoration and/or recreation of biodiversity through it proposed nature, scale, location and design; in accordance with the NPPF.

20. Prior to the first occupation of the development hereby permitted all buildings and structures shown for demolition on the application drawings shall be demolished and all materials used in their construction removed from site.
Reason: To protect the openness of the Green Belt.

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Informative

1.The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

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.
13.