STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Keri Dobson-Grey
Dobson Grey Land and Development
Elta House
Birmingham Road
Stratford Upon Avon
CV37 0AQ

Application no: SMD/2020/0182

Determined on: 26/08/2020

**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:**
Draycott Moor College Draycott Old Road Draycott Staffordshire ST11 9AH

**Description of Development:**
Single storey classroom and reception area extensions and extension of car parking to provide 9 No. additional car park spaces.

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 approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

AD_001_C;
AD_002_C;
AD_101_A;
AD_102_A;
AD_110_A;
AD_111_A;
AD_201_A;
AD_202_A;
AD_210_A;
AD_211_A;
AD_301_A;
AD_302_A

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

3. No road signs or markings shall be placed on the public highway

**Reason:-** In the interest of highway safety.

4. The development hereby permitted shall not be brought into use until the additional parking bays have been provided in accordance with the approved plans. The parking bays shall thereafter be retained unobstructed for parking for the life of the development.

**Reason:-** In the interest of highway safety.

5. Prior to any works above damp proof course level to construct the school extensions hereby permitted, drainage plans for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority and the works completed prior to first use of the additional accommodation.

**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 and to minimise the risk of pollution.

6. No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which 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 Holidays;

II. the arrangements for prior notification to the occupiers of potentially affected properties;

III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

IV. a scheme to minimise dust emissions arising from 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. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;

V. details of wheel washing facilities. All construction vehicles shall have their wheels cleaned before leaving the site

VI. a scheme for recycling/disposal of waste resulting from the construction works;

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;

X. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

XI. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works;

XII. during construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

**Reason:-** To protect the amenities of the area.

7. No soil or fill material 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. 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 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, and is subject to the approval in writing of the Local Planning Authority.The approved scheme shall be implemented prior to the first occuaption of the development.

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, and is subject to the approval in writing of 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.

9. The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the existing term time background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00- 07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. The details and location of any plant or machinery to be installed under this permission shall be submitted to and approved of in writing by the Local Planning Authority prior to installation.

**Reason:-** To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

10. Any external artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light(s) is (are) in operation. Details of any external artificial lighting to be installed under this permission shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include (but not necessarily be limited to) confirmation (elevations/specification details) of the lights being of bollard style as well as their location and number. The development shall be carried out in full accordance with the approved details, be completed prior to first use of the development and retained for the lifetime of the development. The lights shall be switched off when the school buildings are not in use.
**Reason:**- To protect the local amenities of the local residents by reason of excess of illuminance.

11. Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from cooking activities on the premises. (The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues). Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of cooking activities on the premises. (Any system installed must be by suitably qualified competent engineers and the canopy must meet all relevant Health and Safety requirements including the use of Gas Interlocks. The provision of a commissioning certificate issued by a Gas Safe registered engineer should be available for inspection.)

**Reason:** To ensure that unsatisfactory cooking odours outside the premises.

12. There shall be no deliveries between the hours of 18.00 hours and 08.00 hours Monday to Saturday inclusive, and not on Sundays and Public or Bank Holidays.

**Reason:-** To safeguard the amenity of neighbouring residential occupiers.

13. Prior to the commencement of development (including any demolition, site clearance, site stripping or site establishment), a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specifically include provision for a buffer/screen planting belt along the north-eastern (rear boundary) of the car park extension within the area coloured green on the approved plans.

The planting scheme shall include native tree and understorey species, shrubs and other planting and give specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the car park extension hereby approved. The trees and shrubs 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 impact and biodiversity gain.

14. Prior to their installation joinery details for all external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall include (but not necessarily be limited to) materials, colour/finish, opening mechanisms and recess depth of the frame within the aperture. The development shall then be carried out in full accordance with the approved details and retained for the lifetime of the development.

**Reason:-** In the interests of good design.

15. Prior to first use of the school extensions hereby approved, surfacing details of the car park extension shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and be completed in full prior to first use of the school extensions and retained for the lifetime of the development.

**Reason:-** In the interests of highway safety and for the avoidance of doubt.

16. Prior to first use of the extensions hereby permitted details of cycle storage for 10 cycles shall be submitted to and approved in writing by the Local Planning Authority. Details shall include (but not be necessarily limited to) location of the storage within the site, construction details, materials and sizes. The development shall be carried out in accordance with the approved details, be completed in full prior to first use of the extensions hereby approved and retained for the lifetime of the development.

**Reason:-** To encourage alternative transport modes and in accordance with the intentions of section 9 'Travel Plan Statement' within the Transport Statement dated March 2020.

**Informatives**

1. During the course of considering the application the Council has negotiated a planting scheme/buffer to be established along the rear boundary of the car park extension therefore complying with the provisions of paragraph 38 of the National Planning Policy Framework (February 2019) where Local Planning Authorities are encouraged to work proactively with applicants to secure sustainable development proposals.

2. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/buildingonorwithintheinfluencingdistanceofmineentries Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal

mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider. If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/thecoalauthority

3. 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 the Professional Guidance on Planning and Noise (ProPG), British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

- The sound insulation scheme should ensure music noise levels inside the property do not exceed 47dbLeq in the 63Hz ocatave band and 41dB Leq in the 125Hz octave band.

- Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download
http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

- 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)

- In accordance the Site Waste Management Plans Regulations 2008 any construction project with an estimated cost greater than £300,000 must, before work begins, prepare a Site Waste Management Plan in accordance with the requirement of these regulations.

- 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.

- 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.

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X B.J. Haywood

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
*All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.*

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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 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.