STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Maria Valle
Entrust Property Services
The Riverway Centre Riverway
Stafford
ST16 3TH

Ms Donohoe
Moorside High School Cellerhead Road
Werrington
ST9 0HP

Application no: SMD/2019/0715

Determined on: 30/09/2020

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:
Moorside High School Cellarhead Road Cellarhead Staffordshire ST9 0HP

Description of Development:
Erection of a modular building

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 complete accordance with the submitted plans and specifications as follows:-

D01, D03, D04, D05, D06 and D07

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

3. A foul and surface water drainage scheme shall be installed before the building hereby approved is brought into use in accordance with details to be submitted to and approved ini 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.

4.The artificial lighting incorporated into this site in connection to this application shall notincrease the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission shall be submitted to and approved in writing by the Local Planning Authority before the lighting is installed and shall be installed in exact accordance with the approved details.
Reason:-
To protect the local amenities of the local residents by reason of excess of illuminance.

5.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 by means of the proposed site compound shown on Entrust “Tree Protection Plan” Drg. No. MHS_19/20_1/D07 Rev 2, and this shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the Local Planning Authority in writing. 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 Local Planning Authority.

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. be aware that the responsibility for safe development and secure occupancy of the site rests with the developer:
•Any approved foul drainage system should meet the British Standard6297:2007+A1:2008: Code of practice for the design and installation of drainage fieldsfor use in wastewater

treatment http://www.bsigroup.com
•Advice on controlling flies and light can be found in: Statutory Nuisance from Insects andArtificial Light (defra 2005) available as a free downloadhttp://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf
•Advice on controlling flies and light can be found in: Statutory Nuisance from Insects andArtificial Light (defra 2005) available as a free downloadhttp://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf
•During any demolition and construction activities (including landscaping) the contractorshall take all reasonable steps to prevent dust formation and prevent any dust formedfrom leaving the site boundary.
•The control of dust and emissions from construction and demolition Best PracticeGuidance, produced by the greater London councilshttp://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf
•Building Research Establishment Guidance Document 'Control of Dust fromConstruction and Demolition Activities' (BR456)
•If required, contamination risk assessments shall be carried out in accordance with UKpolicy and with the procedural guidance relating to the contaminated land regime, andshould be in accordance with Planning Policy Statement 23 and the CLR Report Series1-12.
•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 andhumans, 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 ofthe 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 RemediationStrategy 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 inthis 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.

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 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.