STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Application no: SMD/2019/0720

Determined on: 13th October 2020

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

APPROVAL OF RESERVED MATTERS

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:
Land Off Woodhouse Lane Biddulph Staffordshire

Description of Development:
Approval of reserved matters following outline planning permission SMD/2017/0775

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development: Access, Appearance, Landscaping, Layout, Scale.

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

148-05 Location, Site Plan and Landscaping
148-06 House Plans and Elevations

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

2. 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, AA, B, C, D, E and H and Part 2 Class(es) A and C and Part 20, other than those expressly authorised by this permission, shall be carried out 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.

4. The development hereby permitted shall not be occupied until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained for the lifetime fo the development.

Reason:- In the interests of visual amenity and having regard to streetscene character.

5. Prior to the first use of the development hereby approved, a revised landscaping and boundary treatment plan (including good quality boundary hedges) shall be submitted to and approved in writing by the Local Planning Authority. Any landscaping shall encompass native tree and shrub species to encourage foraging potential for species. No plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 shall be planted during any landscaping within this development. For further details of Schedule 9 plants visit the Defra website: www.defra.gov.uk/wildlife-pets/nonnative

The hedgerows shall be a double staggered row, plants at c.0.5m spacings along each row, and the rows also c.0.5m apart, giving 5 plants per metre run in total, in accordance with the specification on amended landscaping plan FEH/WL/2019/7/A (proposing 60 – 80cm high whips/transplants) but shall also include a minimum of 12 standard hedgerow trees of minimum planting size 8 – 10cm girth (= approx. height 2.5 – 3m) of species such as Rowan, Silver Birch, Crab Apple, Field Maple, or Common Oak at furthest points from the dwellings, to be irregularly spaced along the new hedging around the site boundaries. The road verge shall be sown or turfed with a wildflower mix or turf.

The plan shall also include details of gaps to be provided through walls and close boarded fencing to allow the movement of hedgehogs through the development. Any approved boundary walls and fencing shall be installed prior to the first occupation of the development and shall thereafter be retained.

Any planting approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. Any trees/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 ecological/biodiversity gain.

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

ii. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
iii. 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;
iv. a scheme for recycling/disposal of waste resulting from the construction works;
v. the parking of vehicles of site operatives and visitors;
vi. the loading and unloading of plant and materials;
vii. the storage of plant and materials used in constructing the development;
viii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
ix. details of measures to protect the public footpaths and amenity of users of the pubic footpaths crossing the site during the construction works.

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 an deviation from it.

Reason:- To protect the amenities of the area

7. The 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.

Reason:- To protect he local amenities of the local residents by reason of excess of illuminance.

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 submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the first occupation of the development.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. The foul drainage from the proposed development shall be discharged to a system which meets the requirements of British Standard (BS) 6297:2007+A1:2008 Code of practice for the design and installation of drainage fields for use in wastewater treatment.

a) There shall be no connection to any watercourse or land drainage system and no part of the soak away system shall be situated within 10 metres of any ditch or watercourse.

b) Porosity tests shall be carried out to demonstrate the suitable subsoil and adequate land area is available and the results shall be submitted to and agreed in writing by the Local Planning Authority prior to the installation of any soakaway.

10. No dwelling hereby permitted shall be occupied until the access to the dwelling, within the limits of the public highway, has been completed.

Reason:- In the interests of highway safety and to comply with S.C.C. requirements for access.

11. Prior to the first occupation of the dwelling to which it relates the parking and turning areas for that dwelling shall be provided in a porous bound material in accordance with submitted Drg. No.148-05 and these areas shall thereafter be retained at all times for their designated purposes.

Reason:- In the interests of highway safety.

12. The development hereby permitted shall not be brought into use until, the visibility splays shown on submitted Drg. No.148-05 the subject of this consent have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:- In the interests of highway safety.

13. The submitted Site Management and Construction Method Statement shall be adhered to for the duration of the construction period.

Reason:- In the interests of highway safety.

14. Prior to any site clearance works taking place a method statement for clearance and construction to avoid harm to small mammals, birds and amphibians shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved method statement

Reason:- In the interests of ecology

15. Prior to the first occupation of the development detailed proposals for the incorporation of features into the scheme suitable for use by bats & breeding birds shall be submitted to and approved in writing by the Local Planning Authority. The approved features shall be permanently installed prior to the first occupation of the development

hereby permitted and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of ecology

16. Prior to the first occupation of the development a new pedestrian footway shall be provided on the north side of Woodhouse Lane, along the length of the site frontage in accordance with details which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety

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

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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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

10. 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.

11. 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.