STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr Bain
Rosehill Nabb Lane
Alton
ST10 4AY

Application no: SMD/2020/0656

Determined on: 13/08/2021

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:
Rosehill Nabb Lane Alton Staffordshire ST10 4AY

Description of Development:
2no. Holiday Lodges

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

DRA - 0101 - Rev P.04 dated 4.8.21
DRA - 0201
DRA - 0202 - Rev P.02 dated 4.8.21

Reason:-

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

3. Each holiday lodge hereby approved shall not be occupied by more than four persons at any one time and no person(s) shall occupy any of the buildings on the application site for a period of longer than 2 calendar months and no person(s) who has occupied any of the buildings shall occupy any of the buildings on site again at any time within six months of the day of the last occupation of the building. The lodges hereby approved shall not be sold, let or otherwise occupied as a sole or main residence for any person or persons at any time.
Reason:-
In order to prevent the use of any of the tourist accommodation buildings as a permanent unit of accommodation/dwelling which would be harmful to the rural character, appearance and amenities of the surrounding area.

4. Before the commencement of the development hereby approved, construction method statements outlining protection and mitigation measures for badgers, great crested newts, bats and birds shall be submitted to and approved in writing by the Local Planning Authority and the measures approved shall be undertaken in the construction of the development and any mitigation measured identified shall be provided and maintained for the lifetime of the development.
Reason:-
In the interests of the ecological value of the site.

5. Before the development is first brought into use, bat and bird boxes shall be provided on the site in accordance with details to be submitted to and approved in writing by the local planning authority. These shall be maintained for the lifetime of the development.
Reason:-
In the interests of the ecological value of the site.

6. New native tree and hedge planting and landscaping shall be undertaken before the development hereby approved is first brought into use and shall include planting adjacent to the east boundary of the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- Means of enclosure
- Hard surfacing materials

Soft landscape details shall include:
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential

amenities of the area and in the interests of the ecological value of the site.

7. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.
Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area and in the interests of the ecological value of the site.

8. Before the proposed development is brought into use, the pedestrian route defined on drawing 0101 P.03 shall be provided and thereafter retained and maintained for the use of occupants of holiday lets and of Rosehill for the life of the development.
Reason:-
In the interests of highway safety.

9. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
Reason:-
In the interests of highway safety.

10. The demolition and construction works hereby approved shall be carried out between 9am 6pm Monday to Friday and between 9am 1pm Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.
Reason:-
To avoid the risk of disturbance to neighbouring dwellings during unsocial hours.

11. 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 agreedin 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

12. No top 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

13. The 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.
Reason: -
To protect the local amenities of the local residents by reason of excess of luminance.

14. No amplified sound/ and or music shall be audible within or at the boundary of any noise sensitive (occupied) premises either attached to or in the vicinity of the premises to which this application refers.
Reason:-
The protection of the amenities of the surrounding area and the occupiers of nearby residential properties.

15. The machinery, plant or equipment 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 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.

16. 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 and the results shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that suitable subsoil and adequate land area is available.

Reason:-
To prevent pollution of the water environment.

17. Any waste material associated with the development 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.

18. Before the development is first brought into use, separate waste collection bins shall be provided for each of the buildings.
Reason:-
In the interests of the appearance of the area.

19. The surface water drainage shall discharge into existing soakaways at Rosehill.
Reason:-
In the interests of the ecological value and the amenities of the area.

20. The works to the site access approved under permission SMD/2019/0751 shall be completed before the development is first brought into use and thereafter retained.
Reason:-
In the interests of highway safety.

21. No lighting shall be provided for the pedestrian path adjacent to the north boundary of the site until details of the lighting have been submitted to and approved in writing by the Local Planning Authority and the lighting shall be provided in exact accordance with the approved details.
Reason:-
In the interests of residential amenity.

Informative

1. The Council has sought (negotiated) a sustainable form of development which

complies with the provisions of paragraphs 186-187 of the NPPF.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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

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.

1.