STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Litchfield
The White House
50 Draycott Road
Upper Tean
ST10 4JF

Application no: SMD/2020/0279

Determined on: 10th September 2021

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

GRANT OF OUTLINE PLANNING PERMISSION

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:
50 The White House Draycott Road Upper Tean Staffordshire ST10 4JF

Description of Development:
Outline permission with all matters reserved except access for 1no. dwellinghouse.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (As Amended)

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason:- To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

3. Approval of the siting, design and external appearance of the building(s), the and the landscaping of the site (hereinafter called ""The Reserved Matters"") shall be

obtained from the Local Planning Authority, before any development is commenced.
Reason: The application is in outline only and not accompanied by detailed plans.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
   - LITCH 001
   - LITCH 002 (access only)
   - LITCH 003 (access only)

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

5. The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.
   Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

6. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
   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.

7. The Reserved Matters application shall include full details of the following:
   - Layout and disposition of access and buildings;
   - Provision of parking, turning and servicing within the site curtilage;
   - Means of surface water drainage;
   - Surfacing materials.

   The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development.
   Reason:- To comply with NPPF paragraph 108; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

8. 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 material for a minimum distance of 5m back from the site boundary in accordance with the approved plan Litch 003. The surfacing shall thereafter be maintained
   Reason:- To comply with NPPF paragraph 108; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

9. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary unless otherwise agreed in writing by the Local Planning Authority.
Reason:- To comply with NPPF paragraph 108; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

10. No development hereby permitted shall take place (except for works of site clearance and demolition) until a 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 method and duration of any pile driving operations (expected starting date and completion date);
II. 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 Holiday;
III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
IV. the arrangements for prior notification to the occupiers of potentially affected properties;
V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
VI. 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;
VII. details of wheel washing facilities. All construction vehicles shall have their wheels cleaned before leaving the site;
VIII. a scheme for recycling/disposal of waste resulting from the construction works;
IX. the parking of vehicles of site operatives and visitors;
X. the loading and unloading of plant and materials;
XI. the storage of plant and materials used in constructing the development;
XII. the erection and maintenance of security hoarding;

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.

11. In the event that contamination, including surface coal measures, 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.

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 soil 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. Prior to the erection of any artificial external lighting into this site in connection with this application, details of their type, location and luminance shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be installed except in complete accordance with the approved details
Reason: To protect the local amenities of the local residents by reason of excess of illuminance

14. The Reserved Matters application shall include details of, and the location of, bin storage areas.
Reason:- To ensure that suitable bin storage is provided on site that does not have a detrimental effect on the character or appearance of the area.

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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15. The Reserved Matter of 'landscaping' shall include the provision of trees to replace those that may be lost as part of the works to create the access hereby approved. Reason:- To ensure the development has an acceptable impact on the character and appearance of the surrounding area and associated wildlife.

Informative

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the development had an acceptable impact on residential amenity and the access arrangements were sufficient. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

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

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 shall 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 shall 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 shall 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.