STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Lowndes
158 Bagnall Road
Stoke-on-Trent
ST2 7LW

Application no: SMD/2020/0029

Determined on: 14/01/2022

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:
Land At The Green Cheadle Staffordshire

Description of Development:
Erection of 9 detached dwellings including the formation of a new vehicular access road

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 approved shall be carried out and completed in complete accordance with the submitted amended plans and specifications as follows:-

Amended Location Plan received on 2.12.21
Amended Site Plan: 100-02 Revision C received on 5.2.21.
House Elevations/Plans: 100-03A
House Elevations/Plans: 100-04A
House Elevations/Plans: 100-05A
Boundary Treatments: 100-06A
Amended Landscaping Plan: 100-07 Revision C dated May 20

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

2. The development hereby approved shall be completed and maintained in accordance with details of the facing finishing materials, roofing materials and hard-surfacing materials received on 22.2.21 as follows:
-Forterra Hampton Rural Blend facing brick
-Hawkins blue/grey tiles
Reason:-
In the interests of the character and appearance of the development and the surrounding area.

3. Within one month of the date of this decision, details of all hard-surfacing materials, fenestration materials, rainwater goods and boundary treatments in terms of their type, colour and texture shall be submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.
Reason:-
In the interests of the character and appearance of the development and the surrounding area.

4.The foul and surface water drainage for the development shall be provided in accordance with all drainage drawings and details received by the local planning authority on 22.2.21 before the development is first brought into use.
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.

5. Planting in accordance with the landscaping scheme in drawing 100-07 Revision C shall be completed before any part of the development is first brought into use. The implemented planting scheme shall be subsequently and 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.

6.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 additional windows or any other openings shall be installed in any part of the development, unless a further planning permission has first been granted on application to the Local Planning Authority
Reason:-
To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

7.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 to F or Part 2 Class(es) A to C shall be undertaken 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 protect the residential amenities of neighbouring residents.

8. The development shall be carried out and completed in accordance with the AGH 2017 Methodology for the Removal of Japanese Knotweed V2 Report received on 13.4.21.
Reason:-
In the interests of the ecological value of the site.

9. Within one month of the date of this decision, a survey report to establish any use of the site by badgers and nesting birds shall be submitted to the local planning authority for approval in writing and the any measures recommended in the report shall be undertaken before the completion of the development.
Reason:-
In the interests of the ecological value of the site.

10. Within one month of the date of this decision, a method statement for avoiding reptiles and amphibians shall be submitted to the local planning authority for approval in writing and the development shall be completed in accordance with the approved report.
Reason:-
In the interests of the ecological value of the site.

11. Within one month of the date of this decision, a Biodiversity Impact Assessment with ""Defra 2.0 metric"" and to include a baseline survey of the level of biodiversity currently at the site shall be submitted to the local planning authority and approved in writing
Reason:-
In the interests of the ecological value of the site.

12. Within one month of the date of this decision, details of a scheme of biodiversity enhancements to achieve a Biodiversity Net Gain shall be submitted to the local planning authority and approved in writing. This shall include enhancements within the land edged blue on the location plan. The approved biodiversity enhancements shall be carried out before the development is first brought into use.
Reason:-
In the interests of the ecological value of the site.

13. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plan 100-02C. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.
Reason:-
In the interests of highway safety

14. No individual plot on the development hereby permitted shall be brought into use until the access to that individual plot has been completed.
Reason:-
In the interests of highway safety

15. The development hereby permitted shall not be brought into use until details of the surfacing and reconstruction of the access drive rear of the public highway have been first submitted to and approved in writing by the Local planning authority. The access shall thereafter be surfaced in accordance with the approved details.
Reason:-
In the interests of highway safety

16. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor, connected to a surface water outfall, has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason:-
In the interests of highway safety

17. Before the dwelling marked Plot 7 is brought into use, a parking area for three vehicles shall be provided in exact accordance with drawings to be submitted to and approved in writing by the Local Planning Authority.
Reason:-
In the interests of highway safety.

18. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.
"" 08:00 - 18:00 hours (Monday to Friday);
"" 08:00 - 13:00 hours (Saturday)
"" No working is permitted on Sundays or Bank Holidays.
In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason:-
To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

19. All demolition, construction and landscaping activities on site shall:
- Be undertaken in accordance with the submitted demolition, construction method statement v 2 submitted by AGH in support of this application.
- Take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
- Ensure no material associated with the demolition or construction is burnt on site but is kept securely for removal to prevent escape into the environment.

All works shall be carried out in accordance with the approved details for the duration of the development. Any alteration to the demolition, construction method statement v 2 submitted by AGH shall be approved in writing by the Local Planning Authority prior to any deviation from it
Reason:-
To protect the amenities of the area and risk to the public from potentially contaminated dust.

20. Prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy (Ref: Remediation Method Statement, The Green Cheadle 1037/LO.002/AMG) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan (Ref: Remediation Method Statement, The Green Cheadle 1037/LO.002/AMG; Appendix 2))to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the validation plan, and for the reporting of this to 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.

21. 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 prior to the first occupation if the development.
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.

22.The external lighting for the dwellings shall be installed in exact accordance with the details received by the local planning authority on 7.10.21 before the development is first brought into use.
Reason:-
In the interests of the visual and residential amenities of the area.

23. Noise insulation measures shall be applied to all the dwellings hereby approved in exact accordance with para 4.17 of the H&H Acoustic Technologies Environmental Noise Assessment Report received by the local planning authority on 22.2.21 before the development is first brought into use.
Reason:-
In the interests of residential amenity.

24. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be 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:-
In order to protect the residential amenities of the future occupiers of the site

25. The archaeological site work shall be implemented in full in accordance with the Stoke on Trent Archaeology Service Written Scheme of Investigation for an Archaeological Watching Brief received by the local planning authority on 11.11.21.
Reason:-
In the interests of the historical and archaeological interests of the area..

26. The development shall not be occupied within the area covered by the written scheme of archaeological investigation referred to in the above condition until the site investigation and post-excavation assessment has been completed in accordance with the approved written scheme of archaeological investigation and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.
Reason:-
In the interests of the historical and archaeological interests of the area.

Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. A Section 106 Agreement forms part of the approval to secure an education contribution.

3. The works required for the proposed internal road network which are to remain private will also require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check. The applicant is requested to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. It will, therefore, be necessary for maintenance/ management arrangements for the private internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standards, the roadways within the site will still need to be constructed to be 'fit for purpose'.

4. 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

"" Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment http://www.bsigroup.com

"" 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)

"" Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Ageny https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm
"" 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.

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.