STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Longford House Farm
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Application no: SMD/2020/0197

Determined on: 7th February 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:
Butchers Arms Cheadle Road Forsbrook Staffordshire ST11 9AS

Description of Development:
Construction of 1no. 4 bedroom house and 2no. 3 bedroom houses

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 permitted shall be carried out in accordance with the following approved plans:
   - Site Location Plan
   - JMD 627-01D
   - JMD 627-02
   - Type 3 House and Street View

   Reason:- For the avoidance of doubt and in the interests of proper planning, in

accordance with the National Planning Policy Framework.

3. Prior to the external walls of the dwellinghouses hereby approved being constructed, samples/details of types and colours of all facing materials and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

   Reason:- To ensure that the external appearance of the development is satisfactory.

4. 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. Development shall take place in accordance with the approved details and 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.

5. 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 by the Local Planning Authority. The drainage 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.

6. Prior to the walls of the dwellinghouses hereby approved being constructed, a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of all new trees, shrubs and any other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so 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. The trees and 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 the visual appearance of the development and the amenities of the area.

7. Prior to the construction of the external walls of the dwellings hereby approved, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

   Reason:- In the interests of the visual appearance of the development and the amenities of the area.

8. Prior to the commencement of development (including any site clearance, site stripping, site establishment or formation/improvement of temporary/ permanent access) temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with a site location plan to be submitted to and approved in writing by the Local Planning Authority and in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. The fencing shall be retained in the position as agreed on the site location plan for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority. 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 by the Local Planning Authority.

   Reason:- To ensure the continued well-being of the existing mature trees along the western boundary of the site.

9. 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 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;
   II. the arrangements for prior notification to the occupiers of potentially affected properties;
   III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
   IV. 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;
   V. a scheme for recycling/disposal of waste resulting from the construction works;
   VI. the parking of vehicles of site operatives and visitors;

VII. the loading and unloading of plant and materials;
VIII. the storage of plant and materials used in constructing the development;
IX. details of measures to protect the public footpaths and amenity of users of the pubic footpaths crossing the site during the construction works;
X. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment,

All works shall be carried out in accordance with the approved Method Statement.

Reason:- To protect the amenities of the area.

10. Development shall not commence until;
    i. a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.

    ii. If the site risk assessment(i) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use 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.

    If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

    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.

11. No top 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.

12. 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. Details of all artificial lighting to be installed under this permission shall be submitted to and approved by the Local Planning Authority prior to their installation.

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

13. (i) No dwelling within the development hereby permitted shall be occupied until any works to that dwelling included in the approved sound insulation scheme (Noise Air Report P4846-R1-V2 Issue Date: 3rd November 2021 Document Status: Version 2) have been completed. Pre- completion tests shall be carried out to verify compliance with this scheme and a report shall be produced containing the results, including all raw data and showing how calculations have been made and shall be submitted to and approved in writing by the Local Planning Authority.
    (ii) Full details including specification and positioning of a site boundary acoustic barrier shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential units hereby permitted.

    Reason:- To protect occupiers from noise and safeguard their residential amenities.

14. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

    Reason:- To comply with NPPF 2021 Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

15. Notwithstanding any details shown on the approved plans no development shall be brought into use until revised access details indicating the following have been submitted to and approved in writing by the Local Planning Authority:
    - means of physically delineating the boundary between public highway and the private drive on the carriageway;
    - means of preventing surface water from East Bank Ride flowing onto the private drive;

The access shall thereafter be carried out in accordance with the approved details and be completed prior to first occupation and shall thereafter be retained as such for the lifetime of the development.

Reason:- To comply with NPPF 2021 Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

16. 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 plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.

    Reason:- To comply with NPPF 2021 Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

17. 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 details to be first submitted to and approved in writing by the Local planning authority. The suface shall thereafter be maintained in accordance with the approved details.

    Reason:- To comply with NPPF 2021 Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Panning Authority.

    Reason: In the interests of residential amenity given the constrained nature of the site, the differences in levels and the proximity of existing mature trees.

19. The acoustic fencing along the southern boundary shared with Cheadle Road, shall be positioned behind (on the Cheadle Road side of) the existing boundary hedge. The existing boundary hedge shall be retained in-situ.

    Reason:- To ensure the visual appearance of the fencing is acceptable along Cheadle Road.

20. Prior to the erection of the dwellinghouse on plot 2, a revised drawing that includes details of a chimney, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the

revised drawing.

Reason:- To ensure the appearance of the dwellinghouse is acceptable.

Informative

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the design and scale of the dwellings were acceptable and the amenity of future occupiers will not be adversely affected by their proximity to a public house. It is therefore considered that the proposals meet the provisions of paragraph 38 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.