

Mr Peter Gordon
Advantage Sports Consultancy Limited
12 March Pines
Edinburgh
EH4 3PF

Mr Carder
Draycott Sports Centre Ltd
Cresswell Lane
Draycott
ST11 9AF

Application no: SMD/2021/0301

Determined on: 20/04/2022

**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:

Draycott Sports Centre Ltd Cresswell Lane Draycott In The Moors Staffordshire ST11 9AF

Description of Development:

Convert two existing tennis courts to form two covered padel tennis courts and one mini tennis practice area with additional parking spaces and using existing access from 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 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 approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

Location Plan;
2101-09-001 Rev A;
2101-09-002 Rev A;

2101-09-003 Rev A;
2101-09-004 Rev A;
2101-09-005 Rev A;
2101-09-006 Rev A.

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

3. Prior to the commencement of development, colour details of the canopy cover shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details prior to first use of the development and shall remain for the lifetime of the development.

Reason:- In the interests of good design and visual impact.

4. The development hereby permitted shall not be brought into use until details of the 2.4m x 43m visibility splays at the proposed access to the development have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall be provided prior to the development being brought into use and shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be maintained for the life of the development.

Reason:- In the interests of highway safety.

5. The access works of the development hereby permitted shall not be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority

- details of the access improvement including size and extent of existing access crossing; dimensions of proposed access and relationship with existing access; construction detail of proposed access within the highway; gradient of the access;
- details of retaining wall within highway;

The highway 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 highways safety and to define the proposed works within the highway.

6. 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:- In the interests of highway safety.

7. Prior to the installation of any vehicular access gates, the details of the type, positioning and opening direction of the gates shall be submitted to and approved in writing by the Local Planning Authority. Submitted details shall show that the gates are located a minimum of 5m rear of the carriageway edge and shall open away from the highway. The development shall then be carried out in full accordance with the approved details and be retained for the lifetime of the development.

Reason:- In the interests of highway safety.

8. 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 and retained for the lifetime of the development.

Reason:- 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.

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 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;

All works shall be carried out in accordance with the approved statement

Reason:- To protect the amenities of the area.

10. 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 the local amenities of the local residents by reason of excess of illuminance.

11. The artificial lighting approved as part of this development shall only be used between the hours of;

- 08:00 - 22:00 Monday to Friday;
- 08:00 - 22:00 Saturdays
- 08:00 - 22:00 Sundays and Bank Holidays.

Reason: In the interests of clarity, to define the permission and in accordance with the applicant's intentions.

Informatives

1. During the course of considering the application the Council has sought design amendments to the scheme including a reduction of proposed height, therefore complying with the provisions of paragraph 38 of the National Planning Policy Framework where Local Planning Authorities are encouraged to work proactively with applicants to secure sustainable development proposals.

2. The extended dropped crossing to the site shall be constructed in accordance with details to be submitted and with SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) <http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

3. The construction of the retaining wall within the highway shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to road.adoptions@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.
www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx
Highways Agreements - Staffordshire County Council

4. While the Highway Authority raises no objection to the proposal, a retaining wall is shown within the highway. The owner of the retaining wall will be required to take responsibility for the retaining wall and be liable for future maintenance and any claims made relating to the retaining wall. A licence under S50 Highways Act 1980 is required for private structures within the highway. Details are available at

[www.staffordshire.gov.uk/transport/staffshighways/licences/Private-Apparatus/InstallationofPrivateApparatus\(Section50Licence\).aspx](http://www.staffordshire.gov.uk/transport/staffshighways/licences/Private-Apparatus/InstallationofPrivateApparatus(Section50Licence).aspx)

5. Severn Trent Water advise that there is a public 150mm foul sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the Building Control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the Building Control officer to refuse building regulations approval.

6. Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Severn Trent state that every approach to build near to or divert their assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact Severn Trent at the earliest opportunity to discuss the implications of any of their assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

7. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- Guidance for control of dust and emissions for construction can be found: in
- 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)
- 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>

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 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.