

Mrs Bolger
i10 Building 1-10 Railway Drive
Wolverhampton
WV1 1LH

Application no: SMD/2021/0694

Determined on: 26th September 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 Ash Bank Road Werrington Staffordshire

Description of Development:

Development of 75 new dwellings, new access, provision of green infrastructure and all associated works

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 permitted shall be carried out in accordance with the following approved plans:

Location Plan	SKM189-01A
Planning Layout	SKM189-PL-01AT
Materials plan	SKM189- MP-01L
Section	SKM189-S-01D
Street scene section	SKM189-SC-02A

Engineering Layout	502 1K and 2K
Path enlarge	SKM189-PL-01AH
Hooped railings	9202
Close boarded fence	9104
Wall	MSD9001
Fence types A to D	NSD 9102
Knee rail fence	NSD900 MID-02

House types submitted by e-mail/We Transfer on the 9th March 2022 as follows:-

- Arun Semi-detached (Plots 10&11, 26-29, 33-36, 46-49, 59&60, 62&63, 66-69, 74&75)
- Blackthorn Terrace (plots 17-22)
- Bourne detached (plot 56)
- Bourne detached SA (Plot 3)
- Bourne Semi-detached (Plots 24&25, 72&73)
- Bourne Semi-detached SA (Plots 5&6, 12&13, 30&31, 44&45)
- Bourne terrace (Plots 41-43)
- Bourne Terrace SA (Plots 14-16)
- Bourne Terrace SA with Chimney (Plots 38-40)
- Southwick Detached (Plots 52, 55)
- Southwick Detached SA (Plots 9, 23, 64, 65, 4, 32, 37)
- Southwick Semi-detached SA (Plots 70-71, 57-58)
- Hollinwood Semi-detached (Plots 1&2, 7&8, 50&51, 53&54)

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

3. All windows and doors shall be set back a minimum of 75 mm from the edge of the brickwork around the window and door opening

Reason:- To ensure that the development is of a design sympathetic to the locality and in the interests of the external appearance of the development

4. 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, AA, B, C and E other than those expressly authorised by this permission, shall be carried out within Plots 17-20 inclusive, 26-31 inclusive, 38-47 inclusive and 65-69 inclusive without express planning permission first being obtained from the Local Planning Authority.

Reason:-

For plots 48 and 49 - To enable the Local Planning Authority to control the development to ensure that adequate private open space is retained within the curtilage of the buildings and to protect the amenity of existing houses in Salters Close

For all the other plots referred to in Condition 4 – To enable the Local Planning Authority to control the development to ensure that these dwellings remain appropriately sized for their intended purpose as 'affordable' units

5. Notwithstanding the submitted and approved plans and prior to the commencement of development details of the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall be subsequently carried out in accordance with the approved details

- Details (including samples where required) of all facing materials
- Eaves and verge detail
- Head and cill detail
- String course detail
- In curtilage bin storage
- Boundary treatment

With the exception of that part required for the site access, the existing stone wall on the Ash Bank Road frontage shall remain undisturbed and intact for the life of the development

Reason:- To ensure an acceptable external finish and protect the character and appearance of the area

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 drainage plans shall include:-

- permeable surfaces for driveways and parking areas to reduce runoff where feasible.
- Water butts
- Use of roadside swales, use of existing ditches along hedges, and generally avoiding pipes in favour of open features to better support wildlife and promote a more natural design wherever possible
- Amphibian friendly road and drainage design should be implemented to avoid trapping these species

The drainage plan shall support and add to proposed habitat creation/enhancements.

The agreed scheme shall be implemented in accordance with the approved details 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 prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution and to enhance biodiversity and sustainability

7. No development hereby permitted shall take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority which shall include the following details:-

1. 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 method and duration of any pile driving operations (including expected starting date and completion date);

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 be based on the mitigation measures outlined in Section 7 and Appendix A of the Air Quality Assessment submitted in support of the application by Air & Acoustic Consultants

VII. a scheme for recycling/disposal of waste resulting from the construction works;

VIII. the parking of vehicles of site operatives and visitors;

IX. the loading and unloading of plant and materials;

X. the storage of plant and materials used in constructing the development;

XI. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

XII. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works,

XIII. 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,

XIV. details of any generator/s to be used on site. They shall be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premises,

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

Reason: To protect the amenity of local residents and that of the surrounding area from noise disturbance.

8. No development approved by this planning permission shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters, has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:

a. A further site investigation, based on the information already provided to support a detailed assessment of risks to all receptors that may be affected, including those off site.

b. The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and a remediation strategy giving full details of remediation objectives and remediation criteria

c. A validation plan providing details of the data that will be collected in order to demonstrate that the all works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

d. 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.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

9. Prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy 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 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

10. 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.

11. Development shall not commence until a Low Emissions Strategy for mitigating the future air-quality impacts of the development is submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before occupation of the development. The scheme shall include:

- a. mechanisms for discouraging high emission vehicle use and encouraging a modal shift to public transport, walking, cycling as well as to encourage the uptake of low emission fuels and technologies, including electric vehicles.
- b. scheme for provision of active electric vehicle charging points and associated electrical infrastructure for future expansion. An active electric vehicle charging point shall be provided adjacent to each allocated parking space or in the garage provided
- c. Details of gas-fired boilers or alternative heat sources , which should be designed to meet an output of minimum standard of 40mgNOx/ kWh

All works which form part of the approved scheme shall be completed before occupation of the development

Reason:- To protect the local residents from air pollution and breaches in local air quality objectives

12. Development shall not commence until a site specific scheme for protecting the proposed residential units from noise has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings or the prevailing British standard and be designed to achieve noise levels of less than 30dB LAeq in bedrooms (night time), 35dB LAeq in bedrooms (daytime), less than 40 dBLAeq in living areas (daytime) and 55dB LAeq in outside living areas.

Pre- completion tests shall be carried out to verify compliance with the approved 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 before any of the dwellings hereby approved are first occupied.

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

13. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.

Reason:- In the interests of the protection of important landscape features which contribute to the character and appearance of the area, biodiversity and protected species

14. No development shall take place including any site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access until such time that temporary tree protection barriers and advisory notices are erected for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in the updated Aspect Arboriculture's Technical Note March 2022 Enclosure A 10893_AIA.001 Rev B submitted in support of the application hereby approved, and these shall be retained in position for the duration of the period that development takes place. 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.

Reason:- In the interests of the protection of trees which contribute to the character and appearance of the area and biodiversity

15. Before the commencement of development (including any site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) an Arboricultural Method Statement for any areas where development, structures and engineering/groundworks operations (including installation of underground services) may encroach within the defined root protection areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority (LPA). The Arboricultural Method Statement shall include details setting out working methods and specification for any special protection measures for the avoidance of harm to existing trees on and adjacent to the application site. Such method statement and protection measures shall specifically include details and relative timescales, along with confirmation of arboricultural supervision of works, to ensure that appropriate measures are implemented to suitably protect retained trees from the initial outset of any construction activity. Thereafter, the development shall be constructed only in full accordance with details approved under this condition.

Reason:- In the interests of the protection of trees which contribute to the character and appearance of the area and biodiversity

16. Notwithstanding the submitted plans and prior to the commencement of development a fully detailed Landscaping scheme shall be submitted to and approved in writing by the LPA. The scheme shall be based on the submitted Landscape Masterplan. The approved scheme 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, shrubs, and grass mixes planted and sown 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:- To secure a landscaping scheme in the interests of the appearance of the development, the character and appearance of the area and biodiversity enhancement

17. Any mature tree to be removed or to have substantial crown pruning operations carried out shall first be carefully inspected for the potential to provide bat roosting opportunities. Any tree which has such potential (which could include cavities, splits, decay pockets, hollow stems or branches, areas of loose bark, dense ivy cover or dense epicormic shoots) shall be subject to a further detailed and if necessary climbing inspection by a licensed bat worker immediately prior to felling or pruning, and all felling or pruning of such trees assessed as having moderate or greater potential for roosting shall take place in the presence of the bat worker who can then immediately advise on appropriate measures if bats are encountered during dismantling, felling or pruning operations.

Reason:- In the interests of protected species

18. No development shall be carried out until such time that an Ecological Construction Management Plan (ECMP) has been submitted to and approved in writing by the LPA. It shall be based on the submitted Ecological Appraisal (Aspect Ecology, October 2021) and include the following matters. The development shall proceed strictly in accordance with the approved ECMP

- All species (amphibians, bats, birds, mammals) mitigation and installation of any integrated enhancements e.g. brick bird boxes to avoid the need for retrofitting.
- Root Protection Plan for trees and hedgerows.
- Hedgerow removal method statement including RAMs for relevant species and retention of material for use for habitat creation or enhancements.
- Provision of means for escape (e.g. a ramp) for any trenches or holes dug into the ground if left open overnight or provision for cover to avoid trapping animals.
- Incorporation of hedgehog access holes in boundary treatments at the base to allow access throughout the site.
- Lighting strategy to protect bats and other species

Reason:- In the interests of protected species and biodiversity enhancement

19. No development shall take place until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall be based on the submitted Biodiversity Net Gain Assessment Technical Briefing Note, Aspect Ecology dated 23rd March 2022 and the attached Post development habitat plan and faunal enhancement plans and include for the creation, monitoring and maintenance of biodiversity net gain for a minimum of 30 years. The development shall subsequently be carried in accordance with the approved LEMP

Reason:- In the interests of securing biodiversity enhancement and net gain and the long term monitoring and maintenance of biodiversity net gain and enhancement measures

20. Notwithstanding the submitted plans, full details (to include height, materials, finish, means of construction and sections where required) of all retaining structures shall be submitted to and approved in writing by the LPA prior to commencement of development and subsequently constructed in accordance with the agreed details.

Reason:- In the interests of the external finish of the development and to protect the amenity of future occupiers

21. All of the dwellings hereby approved shall be provided with a cycle lock either to the rear or side of the dwelling prior to first occupation, details of which shall be first agreed in writing with the Local Planning Authority

Reason:- To promote cycling as a mode of travel in line with the submitted Travel plan

22. The development hereby permitted shall not be brought into use until details of the maximum achievable visibility splays at each access onto A52 Ash Bank Road have been

submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development being brought into use.

Reason:- In order to demonstrate maximum practical achievable visibility splays rather than minimum required in the interests of highway safety

23. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plan SKM-189-PL-01 AT. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:- To comply with NPPF Paragraph 109; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

24. The development hereby permitted shall not be brought into use until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority:

- pedestrian phase in traffic signals at Washerwall Lane/Salters Lane/A52 Ash Bank Road traffic signal controlled junction including hardware, paths and dropped crossings;
- pedestrian facilities comprising dropped crossings between the development sites and Johnstone Road side of development;
- MOVA validation at Washerwall Lane/Salters Lane/A52 Ash Bank and A520 Leek Road/A52 Cellarhead Road/Kingsley Road traffic signal controlled junctions and any modifications to ensure sites are running as efficiently as possible;
- re surface area of land between footway/cycleway and A52 footway between no 386 Ash Bank Road and plot 38
- replace bus shelter with cantilever type and relocate out of maximum achievable visibility splay and at location to avoid obstructing footway, relocate bin, bus layby alterations to tie access radii into kerblines/channel (while still achieving maximum possible visibility)/ bus stop kerbs;

The off-site highway works shall thereafter be constructed in accordance with the approved details, subject to technical approval, prior to the development being first brought into use

These off-site highway works shall thereafter be constructed in accordance with the approved details, subject to technical approval, prior to the development being first brought into use.

Reason:- To encourage and facilitate alternative modes of transport; to provide facilities for pedestrian safety; to ensure trips generated by the development can be accommodated on the existing network by ensuring the traffic signal controlled junctions are operating as efficiently as possible with the additional trips generated by the development; to safeguard visibility at the access to plots 1 - 3 while maintaining facilities for waiting bus passengers.

25. No individual plot on the development hereby permitted shall be brought into use until the access to that individual plot has been completed.

Reason:- To comply with NPPF Paragraph 109; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

26. The development hereby permitted shall not be brought into use until the access drives to individual plots, rear of the public highway have been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the site boundary.

Reason:- To comply with NPPF Paragraph 109; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

27. Any driveway falling towards the public highway shall be constructed with a drainage interceptor with outfall sited immediately to the rear of the highway boundary.

Reason:- To comply with NPPF Paragraph 109; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

28. The development hereby permitted shall not be brought into use until details of the reinstatement of that part of the existing site access between number 386, Ash Bank Road and plot 38, not required for cycle access, with full height kerb, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority. That part of the existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height kerb in accordance with the approved plans.

Reason:- To avoid a proliferation of overlong and redundant access crossings.

29. The submitted and hereby approved Travel Plan (Ref 211008_325522 RTP 001) shall be implemented in accordance with the timetable set out in the plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date planning consent to the Local Planning Authority for approval in writing for a period of 5 years from first occupation of the development permitted by this consent.

Reason:- To encourage alternative modes of transport

30. Notwithstanding the submitted Landscape plan and prior to the commencement of development full details of the proposed planting in the area shown on Drawing PL 01AH 'Path enlarged' to include species, numbers, height at planting, density and timescales shall be submitted to and approved in writing by the Local Planning Authority. The planting shall subsequently be carried out strictly in accordance with the agreed details and maintained to a height of not less than 1.8m in perpetuity. The planting 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:- To protect the privacy and security of No 386 Ash Bank Road and in the interests of the character and appearance of the area.

31. No dwellings hereby permitted shall be occupied until such time that the footpath linking the development to Ash Bank Road adjacent to plot 38 as shown on the approved plans has been constructed and made fully available for use.

Reason:- To ensure connectivity and encourage walking and cycling

32. No development shall take place until a fully detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall incorporate natural wetland habitats and shall demonstrate:

- Surface water drainage system(s) designed in full accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS), (DEFRA, March 2015).
- As a proportion of the site is proposed to be drained by soakaway-to-ground, full and complete infiltration testing is to be carried out. This is to be in full accordance with BRE 365 best practice guidance, in order to confirm the viability of infiltration in this area of the proposed development. A testing report and log document, demonstrating complete concordance with BRE 365 best practice guidance, is to be submitted for review by the LLFA to demonstrate that infiltration via soakaway is a viable means of surface water discharge and that satisfactory infiltration rates have been proven and evidenced.
- Limiting the surface water runoff discharge from the site generated by all return period critical duration storm events, up to and including the 1 in 100 year plus 40% (for climate change) return period so that it will not exceed 2 l/s.
- Provision of adequate attenuation surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- The incorporation of adequate surface water treatment in accordance with CIRIA C753 – The Simple Index Approach, to mitigate water quality pollution.

Detailed design (plans, network details and calculations), in support of any surface water drainage scheme, including details of any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations, inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% (climate change) return periods.

- Formal (Section 106) agreement with Severn Trent Water (Plc) that confirms surface water discharge is to be accepted into the proposed downstream network that falls under STW ownership.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water systems shall be maintained any managed for the lifetime of the development.

Reason:-

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to secure biodiversity enhancement through sustainable drainage

Informative

1. A sustainable form of development has been negotiated with conforms with the provisions of the NPPF

2. This permission should be read in conjunction with the Section 106 Agreement dated 23rd September 2022

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

☐ All lighting details should be provided with predicted LUX levels at the curtilage of the nearest residential receptors. This should be undertaken in line with the Institute of Lighting Engineers Guidance on intrusive lighting.

☐ 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 British Standard BS8233:2014 Sound insulation and noise reduction for buildings (Code of Practice), and the Building Regulations 2010 Document E or other appropriate guidance.

☐ 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 should 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)

☐ If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <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 an “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.

- The works required for the proposed internal road network which are to be proposed for highway adoption require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please see <https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx> and contact Staffordshire County Council at road.adoptions@staffordshire.gov.uk to ensure that approvals and exemptions are secured before commencement of works.
- The conditions requiring highway works (accesses; MOVA validation and any alterations; pedestrian phase and pedestrian access works at Salters lane/Washerwall Lane/Ash Bank Rd traffic signals; pedestrian dropped crossing facilities; reinstatement of part redundant access crossing; re surface area of land between footway/cycleway and A52 footway between no 386 Ash Bank Road and plot 38; relocation/replacement of bus shelter; any alterations to bus stop/layby) 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.

<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx> Highways Agreements - Staffordshire County Council

- Condition can be discharged on confirmation of commencement of works agreement application and of discussions with Dynniq
- SCC Traffic Signals Maintenance Contractor is Dynniq. Any works to the traffic signals must be done with knowledge and express approval of Dynniq. Please contact Dynniq direct at pete.elwell@dynniq.co.uk or steve.alston@dynniq.co.uk

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.
12. Domestic sprinklers
Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1
If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

13. Working smoke alarms correctly positioned in your home can save your life.

The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month.

Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.