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Colmore Row
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St. Modwen Homes
c/o Agent

Application no: SMD/2021/0370

Determined on: 25/04/2023

**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 South East Of A521 A50 Blythe Bridge Bye Pass Blythe Bridge Staffordshire

Description of Development:

Development of 11 no. residential dwellings (Use Class C3) and associated works comprising internal access roads, parking and hard and soft landscaping

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, unless modified by the conditions below or otherwise agreed in writing by the Local Planning Authority:
 - Site Location Plan (Ref. R9051-RLA-21-XX-DR-A-2301 D)
 - Existing Site Plan (Ref. R9051-RLA-21-XX-DR-A-2302 C)

- Proposed Site Plan (Ref. R9051-RLA-21-XX-DR-A-2303 D)
- Proposed Boundaries Plan (Ref. R9051-RLA-21-XX-DR-A-2304 D)
- Proposed Materials Plan (Ref. R9051-RLA-21-XX-DR-A-2305 E)
- Proposed Heights Plan (Ref. R9051-RLA-21-XX-DR-A-2307 D)
- Proposed Car Parking Plan (Ref. R9051-RLA-21-XX-DR-A-2309 D)
- Design and Access Statement, May 2021 (V5)
- Detailed Planting Proposals (Ref. 1965 101 A)
- Drainage Statement (dated 13.05.2021)
- Proposed Levels Plan (Ref. R9051-BML-21-XX-DR-C-1100 C)
- Proposed Drainage Plan (Ref. R9051-BML-21-XX-DR-C-1101 C)
- Proposed Finishes Plan (Ref. R9051-BML-21-XX-DR-C-1102 B)
- Proposed Kerbing Plan (Ref. R9051-BML-21-XX-DR-C-1103 B)
- Proposed Impermeable and Permeable Areas Plan (Ref. R9051-BML-21-XX-DR-C-1105 A)
- Proposed Tracking and Vis-Splay Plan (Ref. R9051-BML-21-XX-DR-C-1106 B)
- Proposed External Works and Drainage Construction Details Plan (Ref. R9051-BML-21-XX-DR-C-1107)
- Addendum Noise Report (Ref. REP-1006344-05-AM-20210817 Rev. 1)
- Addendum Air Quality Assessment (Ref. 410.9095.00005 V1.0, dated Sept. 2021)

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

3. No dwelling shall be occupied until the boundary treatment associated with that dwelling has been provided in accordance with the approved plans. Notwithstanding the details shown on the approved plans gaps shall be provided through wall and close boarded fencing to allow the movement of hedgehogs through the development in accordance with the details shown on the following drawings:

- Proposed Boundaries Plan (Ref. R9051-RLA-21-XX-DR-A-2304 D)
- Free Standing Brick Wall Detail (Ref. SD0600)
- Close Boarded Fencing Detail (Ref. SD0607)

Reason: In the interests of residential amenity & biodiversity.

Environmental Health

4. The development hereby permitted shall take place in complete accordance with the Demolition, Construction and Environmental Method Statement approved pursuant to application DOC/2020/0049, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to protect the amenities of the area.

5. The development hereby permitted shall take place in complete accordance with the detailed remediation strategy approved pursuant to application DOC/2018/0138 and the verification report approved to discharge condition 8 of SMD/2018/0790 pursuant to application DOC/2021/0004.

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.

6. 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 further remediation scheme must be prepared in the same format as the remediation scheme approved pursuant to DOC/2018/0138, and approved in writing by the Local Planning Authority and thereafter implemented.

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 produced, and submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

7. No dwelling within the development hereby permitted shall be occupied until either:
 - I. a) All works to that dwelling included in the approved sound insulation scheme (Hoare Lea, Blythe Vale Phase 1 Plots 58-66, Blythe Bridge) have been completed and tests carried out to verify compliance with this scheme;

OR

- b) Pre-completion sound tests have been carried out to verify compliance with the criteria sound levels in British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), Professional Practice Guidance on Planning & Noise: Residential Development (IOA and ANC 2014) and a pre-

completion a report shall be produced containing all raw data and showing how calculations have been made shall be produced submitted to and approved in writing by the LPA. No dwelling within that phase hereby permitted shall be occupied until the sound test report has been approved by the LPA.

- II. Full details including specification and positioning of a site boundary acoustic barrier (if required) shall be submitted to and approved in writing and shall be installed prior to first occupation of the approved residential units hereby permitted, where necessary. The approved barrier shall thereafter be retained and maintained for the life of the development.

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

8. The dwellings hereby approved on plots 58-60 shall not be occupied until an electric vehicle charging point has firstly been installed on the gable wall adjacent to the allocated car parking spaces.

Reason: To protect the local residents from air pollution and breaches in local air quality objectives for Nitrogen dioxide

Trees and Landscape

9. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, as identified on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and visual amenity.

10. No development works shall take place (including any demolition, site clearance, stripping or site establishment) unless temporary protective fencing and advisory notices for the protection of the existing trees and hedgerows to be retained have firstly been erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, which shall be retained in position 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 in writing by the LPA.

Reason: In the interests of biodiversity and visual amenity and to protect existing trees and hedgerows.

Archaeology

11. The site work shall be implemented in full in accordance with the written scheme of archaeological investigation approved pursuant to application DOC/2018/0138.

A post-fieldwork assessment shall be completed thereafter and provision made for analysis, publication and dissemination of the results and archive deposition in accordance with part b) of condition 18 of planning permission SMD/2018/0790.

Reason: To record likely below ground archaeological remains.

Ecology

12. In the event that works should commence between 1st March and 31st August in any year, a detailed survey shall firstly be carried out to check for nesting birds and the results submitted to and approved in writing by the Local Planning Authority.

Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.

Reason: In the interests of biodiversity.

13. 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 a report of the findings along with details of any necessary mitigation shall be submitted to and approved in writing by the Local Planning Authority. All felling or pruning of such trees shall take place in accordance with the approved mitigation measures and in the presence of the bat worker who can immediately advise on appropriate measures if bats are discovered during dismantling, felling or pruning operations.

Reason: In the interests of biodiversity

14. No development shall take place except in complete accordance with the Working Method Statement produced by FPCR approved pursuant to condition 21 of SMD/2017/0512 under application DOC/2018/0138.

Reason: In the interests of biodiversity

15. No development shall take place except in complete accordance with the Construction Environmental Management Plan (CEMP: Biodiversity) approved pursuant to application DOC/2018/0138.

Reason: In the interests of biodiversity.

16. No external lighting shall be installed on the site other than in complete accordance with a lighting strategy firstly submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity.

17. The development hereby permitted shall take place in complete accordance with an Ecological Management Plan approved which has firstly been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity.

18. The development hereby permitted shall take place in complete accordance with the Great Crested Newt Method Statement approved pursuant to application DOC/2020/0049, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity.

19. Within 3 months of the date of this permission, details of the number and location of the artificial Housemartin nests to be provided in the vicinity of plot 61 shall be submitted to and approved in writing by the Local Planning Authority. The approved Housemartin nests shall be installed prior to the first occupation of the development and shall thereafter be retained in perpetuity.

Reason: In the interests of biodiversity.

Highways and Transport

20. The development hereby permitted shall not be brought into use until the individual accesses, 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.

21. Any driveways or private drives that fall towards the proposed adopted highway shall be fitted with drainage interceptors immediately to the rear of the highway boundary outfalling to surface water drainage or drained to SUDS principles

Reason: In the interests of highway safety.

22. The development hereby permitted shall be carried out in accordance with the Travel Plan listed as approved under condition 2 of SMD/2018/0790, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Informatives

- The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), Professional Practice Guidance on Planning & Noise: Residential Development (IOA and ANC 2014), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

X 

Signed by: Jane Colley Signature

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.