

Mr Mark Blood
Mark Blood Building Design
Manor Farm House London Road
Shardlow
Derby
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Mr Jones
58 Uplands Croft
Werrington
Staffordshire
ST9 0LF

Application no: SMD/2021/0720

Determined on: 11th May 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 At 58 Uplands Croft Werrington Staffordshire

Description of Development:

Residential development for the erection of 2 No Detached Single Storey Dwellings with garages

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 commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:

Block Plan On Existing Site: Dwg no 19031.01B
Block Plan On Site Proposed: Dwg no 19031.02C

Existing Bungalow – Floor Plan & Proposed Access/Parking: Dwg no 19031.03A
Site Layout Plan Proposed: Dwg no 19031.04B
19031.05 Revision A Proposed Dwellings – Plan & Elevations
Location Plan (Amended)

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Prior to the commencement of development details including types and colours along with samples if requested of all roofing materials, facing materials and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details as subsequently approved.

Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

4.. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water Environment

5. Prior to the commencement of development (including any site clearance, stripping, site establishment and formation of new temporary or permanent access driveway) temporary protective fencing and advisory notices for the protection of the existing trees along the southerly and westerly margins of the site as shown in the submitted tree report August 2021 by Elite Ecology shall be erected in accordance with the guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and 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 unless otherwise agreed in writing by the LPA with appropriate additional control measures in place.

Reason: to ensure appropriate safeguard for trees significant to the site landscape and/or biodiversity and local amenity.

6. By the end of the first available planting season (November to February inclusive) following the substantial completion and / or first coming into use of any part of the development there shall have been planted along the westerly boundary of plot 2 and extending along the southerly and westerly boundaries of the turning head a native species hedgerow comprising a double row 30cm apart of hawthorn (*Crataegus monogyna*) whips of stem height 20cm to

40cm placed at 45cm staggered spacings in each row. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and be maintained as a hedgerow for the lifetime of the development.

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

7. With the exception of the swale which shall be mown once annually in the period October to February and the cut arisings removed from the site the land west of plot 2 identified on drawing 19031_04B as "open space (eco-habitat)" shall be allowed to regenerate by natural vegetation growth and there shall be no interference or alteration to this management except and unless by agreement in writing with the Local Planning Authority.

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

8. The development shall take place incorporating a minimum of two purpose-made bat roost boxes on or integral to the building walls and positioned in accordance with the guidance specific to the product and as denoted in drawing 19031_04B. The bat boxes shall be installed prior to the first coming into use of the buildings.

Reason: to safeguard the population of protected bat species.

9. Before any work on widening and realigning the access is commenced, details shall be first submitted to and approved in writing by the Local Planning Authority indicating replacement and relocation of the lighting column and any consequent lighting design adjustments. The lighting column or columns shall thereafter be replaced in accordance with the approved details prior to the development being brought into use.

Reason: To safeguard the streetlighting provision and the streetlight itself in the interests of highway and public safety

10. Before the proposed development is brought into use, the revised access shall be completed to a minimum width of 4.2m in accordance with approved plan 19031.04B.

Reason: in the interests of highway safety

11. The development hereby permitted shall not be brought into use until the parking and turning areas for existing and proposed dwellings have been provided in accordance with the approved plan 19031.04B. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason: in the interests of highway safety

12. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the Local Planning Authority indicating a bin store adjacent to, but clear of the footway to store bins on collection day clear of the footway to avoid obstruction of the footway. The bin store area shall thereafter be provided in accordance with the approved plans before the development is brought into use and retained for the life of the development.

Reason: to provide area to store bins on collection day without obstructing the footway

13. 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: 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays. There shall be no working 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. No waste material associated with the demolition or construction hereby permitted shall be burnt on site but shall be kept securely for removal to prevent escape into the environment.

VII Details of contractor parking and storage of materials.

All works shall be carried out in accordance with the approved Method Statement. Any alteration to this Method Statement shall be approved in writing by the Local Planning Authority prior to any deviation from it.

Reason: To protect the amenities of the area

14. In the event that contamination, including surface coal measures, is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not continue further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not recommence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment 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

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

15. 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 external artificial lighting to be installed under this permission shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

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

16. 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 prior to the first occupation of the development.

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

17. 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 Classes A; B; C; D; E; F; and G and Part 2 Class A other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, to safeguard the amenities of neighbouring properties and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

18. No site works or development shall commence (other than demolition works) until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, has first been submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the details so approved.

Reason: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.

19. No building or use hereby permitted shall be occupied or the use commenced until the SuDS scheme for this site has been completed in accordance with the approved Sustainable Drainage Strategy. The SuDS scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

20. No building or use hereby permitted shall be occupied or the use commenced until the landscaping proposals hereby approved have been carried out in accordance with the approved plans, unless a revised programme is agreed in writing with the Local Planning Authority.

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

21. The planting proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the council. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the appearance of the development is satisfactory

22. Notwithstanding the detail shown on the approved plans prior to any work taking place above damp proof course level, details of all proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be implemented prior to the first occupation of the development.

Reason: In the interests of residential amenity

Informative

1. You are reminded of your responsibilities under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 in respect of any protected species that may inhabit the site. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

2. The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application as (originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

X *B.T. 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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: 0333 880 2000.
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.