

Sammons Architectural Limited
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Upperdales Developments Ltd
c/o Agent

Application no: SMD/2023/0550

Determined on: 29/01/2024

**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:

83 Lilac Grove Farm Folly Lane Cheddleton Staffordshire ST13 7DA

Description of Development:

Redevelopment of the site to provide 7 dwellings in the form of a detached two story dwelling, 4 detached chalet bungalows and 2 single story detached bungalows

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, including building materials specified, shall be carried out and completed in accordance with the following amended approved plans:

2021 2632 40 Revision C 2021 2632 41

2021 2632 42

2021 2632 43

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2021 2632 46
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Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3.The development hereby approved shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in exact 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 reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and also in the interests of the ecological value of the site and achieving a Net Biodiversity Gain.

4.Before the development is first brought into use, the site shall be landscaped in exact accordance with a landscaping scheme which includes full details of both hard and soft landscape proposals for both the development and the orchard area, which shall include suitable understorey wildflower grassland with establishment and on-going management specification and which shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: -

- Means of enclosure

- Hard surfacing materials

Soft landscape details shall include: -

- Planting plans

- Written specifications (including cultivation and other operations associated with plant and grass establishment)

- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate

- Implementation timetables

Reason:-

To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area and also to achieve a Net Biodiversity Gain.

5. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

6. 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 further development as specified in Part 1 Class(es) AA, A, B, C, D and E or Part 2 Class(es) A to C 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 and to protect the residential amenities of neighbouring residents.

7. The proposed upper floor rooflights of Plot 3 on the north elevation and Plot 6 on the south elevation as shown on the above drawings hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) those windows shall not be re-glazed with any transparent materials and shall not be enlarged or otherwise altered, nor shall any additional window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:-

To protect the amenity and living conditions of the adjoining residential property from overlooking or perceived overlooking.

8. The first action on commencement of development, prior to any further action (including any further site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of all the existing trees within the site, to be retained as shown on the approved drawings, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and these barriers and notices 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 local planning authority.

Reason:-

In the interests of the character and appearance of the area.

9. The development hereby approved shall be undertaken in accordance with all measures outlined in Section 5 of the Absolute Ecology Preliminary Ecological Report for Lilac Grove Farm dated February 2022.

Reason:-

In the interests of the ecological value of the site.

10. Before the development is brought into use, bat and bird boxes shall be installed within the site in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the ecological value of the site.

11. The development hereby permitted shall not be brought into use until the dimensioned visibility splays of 2.4m x 43m in each direction shown on plan 2021-2632-40 Rev C have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:-

In the interests of highway safety.

12. Before the proposed development is brought into use, the access shall be completed in accordance with the approved plans.

Reason:-

In the interests of highway safety.

13. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site accesses to footway with full height kerb, which shall include the access crossings 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. The existing site accesses made redundant as a consequence of the development hereby approved shall be reinstated as footway with full height kerb in accordance with the approved plans prior to the first occupation of the development.

Reason:-

In the interests of highway safety.

14. 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 plan 2021-2632-40 Rev C. 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.

15. The development hereby permitted shall not be brought into use until a surface water

drainage interceptor, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason:-

In the interests of highway safety.

16. Before the proposed development is brought into use, the footway on the site frontage shall be widened to a minimum width of 1.8m. Details of highway works comprising widening of the footway on the frontage to minimum width of 1.8m shall be first submitted to and approved in writing by the Local Planning Authority.

Reason:-

In the interests of highway safety.

17. There shall be no access to any of the residential plots from the farm access shown on the site plan at any time during the lifetime of the development.

Reason:-

In the interests of highway safety.

18. The development hereby permitted shall not be brought into use until details of the 2.4mx43m visibility splays at the access to plot 1 and 2.4mx43m to the north and 2.4mx23m to the south of the access to plot 7 have been submitted to and approved in writing by the Local Planning Authority. The visibility splays 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 commencing/brought into use

Reason:-

In the interests of highway safety.

19. No development hereby permitted shall take place except for works of site clearance and demolition 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:-

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 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 dust management plan containing the measures to ensure no activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. There shall always be the appropriate means and sufficient water resources on site for dust suppression. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape.
- 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. 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;
- XII. the 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 premise,

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

Reason:-

To protect the amenities of the area.

20. Development shall not commence until:

- a) a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed in writing with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.
- b) If the site risk assessment (a) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted and approved in writing by the Local Planning Authority.
- c) Following completion of measures identified in the approved remediation strategy and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the

Local Planning Authority.

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.

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.

21. 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 validity evidence 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.

22. 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 at the site 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.

22. Before the development hereby approved is first brought into use, an access gate to the area marked "Orchard" in the site plan shall be provided in accordance with design and location details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the maintenance of the ecological enhancement area.

23. The area marked "Orchard" on the site plan shall only be used as an ecological enhancement area and shall not form part of the residential curtilage of any dwelling hereby permitted and shall not be used at any time for residential, domestic or any other purpose

ancillary to the domestic use or enjoyment of the dwellinghouses hereby permitted

Reason:-

In the interests of the maintenance of the ecological enhancement area, for the avoidance of doubt and to ensure the openness of the Green Belt.

24. Before the development is first brought into use, a dry-stone wall shall be provided in accordance with the application drawings with a height of 1.0 metre.

Reason:-

In the interests of the character and appearance of the area.

25. Before the development is brought into use, solar panels shall be provided on all south facing roof-slopes in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of energy efficiency and protecting the environment.

26. Before the development is first brought into use, chimneys shall be included on all bungalow dwellings in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the character and appearance of the area.

Informative

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

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 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.