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Application no: SMD/2016/0378

Determined on: 26th October 2016

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

GRANT OF OUTLINE PLANNING PERMISSION

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:

Moneystone Quarry Cheadle Road Oakamoor Staffordshire ST10 2DZ

Description of Development:

Outline application with some matters reserved for the erection of a high quality leisure development comprising holiday lodges; a new central hub building (providing swimming pool, restaurant, bowling alley, spa, gym, informal screen/cinema room, children's soft play area, cafe, shop and sports hall); cafe; visitor centre with farm shop; administration building; maintenance building; archery centre; watersports centre; equipped play areas; multi-sports area; ropewalks; car parking; and managed footpaths, cycleways and bridleways set in attractive landscaping and ecological enhancements (re-submission of Planning Application SMD/2014/0682)

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

1. No phase of the development (as approved under Condition 5) except for works of site clearance and demolition hereby permitted shall be commenced until full details of the:
 - a) Layout;
 - b) Scale;
 - c) Appearance, and
 - d) Landscaping;

(hereinafter called “the reserved matters”) for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason:- The application is an outline application under the provisions of the Town and Country Planning (General Development Procedure) England Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission (excepting access).

2. Application for approval of the first reserved matters (as identified in Condition 1 above) shall be made to the Local Planning Authority no later than the expiration of 3 years from the date of this permission and the last application for reserved matters approval shall be made to the Local Planning Authority no later than the expiration of 7 years from the date of this permission.

Reason:- To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

3. The development hereby approved shall be begun not later than whichever is the later of the following dates:

- (a) the expiration of 5 years from the date of this permission, or
- (b) the expiration of 2 years from the date of the approval of the first reserved matters application by the Local Planning Authority.

Reason:- To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following documents and approved plans:

Red Line Location Plan PL1088.M.106 rev 3
Parameters Plan PL1088.M.110 rev 6
Character Areas Plan PL1088.M.113 rev 3
Eaves Lane Access Plan PB5196-0100 rev C
Proposed Layout of A52/Whiston Eaves Lane Junction PB1608/SK001 rev C
Existing and Restored Landscape Plan (drawing ref. PL1088.M116 Rev 1);

Environmental Statement (Moneystone Park) – June 2016

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

5. No development, with the exception of site clearance and demolition, shall be commenced until a Phasing Programme has been submitted to and approved in writing by the Local Planning Authority. The Programme shall provide details of the

phasing of the development including the extent and composition of the phases and the overall programme for development. The development shall thereafter be carried out in accordance with the approved Programme.

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

6, The total gross external floorspace of the uses proposed within the buildings and maximum area of other uses to be located within the area identified as Multi Activity Hub Area on the approved Parameters Plan (dwg ref PL1088.M.110 rev 6) as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), where relevant, shall be limited as follows:-

a) Uses within the Zone for the Main hub building and Visitor centre

Swimming Pool and toddler pool and plant - Up to 415m²

Restaurant/ Bar and outside terrace - Up to 500m²

Bowling alley - Up to 140m²

Spa - Up to 150m²

Gym with studio - Up to 100m²

Informal screen room - Up to 80m²

Children's soft play area - Up to 145m²

Café - Up to 70m²

Sports hall – up to 320 m²

Reception area - Up to 145m²

Shop - Up to 50m²

Visitor Centre with farm shop - Up to 490m² (including up to Maximum 400m² retail use)

b) Uses within Zone for Archery centre and lakeside cafe

Lake Café - Up to 130m²

Archery Centre - Up to 260m²

c) Uses within Zone for Administration block and Maintenance depot

Administration Building 525m² (as existing)

Maintenance Depot - Up to 500m²

d) Uses outside of the above Zones as defined on the Parameters Plan but within the Multi Activity Hub Area as defined on the Parameters Plan

Substation 600m2 (existing compound)

Multi-Sports Area Up to 1,400m2

Equipped Play Area Up to 500m2

Adventure play area Up to 500 m2

Ropewalks Up to 5000m2

e) Car parking

Short stay - up to 170 spaces

Secure Long stay – up to 150 spaces

Staff – up to 67 spaces

Coach – up to 5 bays

Watersports centre – up to 26 spaces

Reason:- To define the permission and ensure that the proposal is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

7.The total gross floorspace of the uses proposed within the buildings to be located within the area identified as Water Sport Hub Area on the approved Parameters Plan (dwg ref PL1088.M.110 rev 6) as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be limited as follows:-

Watersport centre – Up to 500 m2

Reason: To define the permission and ensure that the proposal is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

8. No more than 250 lodges shall be developed on the site within the broad areas identified for Holiday Lodges on the Parameters Plan (dwg ref PL1088.M.110 rev 6) hereby approved.

Reason: To define the permission and ensure that the proposal is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

9. Any development or activity proposed including any footpaths, cycleways, bridleways and outdoor activities in the areas noted as 'Area of Retained Landscape' on the approved Parameters Plan (dwg ref PL1088.M.110 rev 6) shall be informed by an Ecological and Arboricultural Assessment, identifying the nature of the development/activity proposed and an assessment of its impact, and such assessments shall be submitted as part of any future reserved matters applications for this part of the site.

Reason:- In the interests of the character and appearance of the area, ecology and tree protection in accordance with Policies NC1, DC1 DC3 and the National Planning Policy Framework

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order)(England) 2015 (or any Order revoking and re-enacting that Order with or without modification) no motorised watersport shall take place on any of the water bodies within the application site with the exception of emergency rescue boats.

Reason:- To safeguard the amenities of nearby residents, users of the area in general and in the interests of the character and appearance of the area in accordance with Policies DC1, DC3 of the Staffordshire Moorlands Core Strategy and the National Planning Policy Framework

11. At the time of first submission of a reserved matters application for any phase agreed under Condition 5, full details of the following shall be submitted to and approved in writing by the Local Planning Authority for that phase:-

- a) Detailed plans and sections showing existing site ground levels and proposed ground levels and finished floor and ridge levels of all buildings.
- b) All engineering works, mounding and changes to existing ground levels within that phase including details of cut and fill.
- c) Volumes of material to be disposed of off site.

Development of that phase shall thereafter be carried out strictly in accordance with the approved details.

Reason:- In order to protect the character and appearance of the area in accordance with Policies DC 1, DC3 and SS7 of the Core Strategy and the NPPF.

12. Prior to the commencement of any phase of the development agreed under Condition 5, a scheme containing full details of the proposed bridleway(s) within that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be broadly in accordance with the illustrative Footpath Connection Plan PL 1088 M004 Rev 3 submitted with the application and shall be informed by a Feasibility and Construction Methodology containing an Ecology, Landscape, Visual and Arboricultural Assessment and shall include details on levels, widths, and surface materials, measures to ensure the future maintenance and public use in perpetuity and demonstrate how the bridleway (s) will link to the wider footpath/bridleway network beyond the site. The bridleway(s) shall thereafter be completed in accordance with the approved details and open for public use before first occupation of any development within that phase.

Reason:- In the interest of the connectivity and accessibility of the site in accordance with the Polices T1, T2 and SS7 of the Core Strategy and the NPPF.

13. No development of any phase agreed under condition 5 shall commence until full details of boundary and other means of enclosures for that phase have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be completed prior to the development of that phase first coming into use and maintained thereafter for the life of the development in accordance with the agreed details.

Reason:- In the interests of the character and appearance of the area in accordance with Polices DC 1, DC3 and SS7 of the Core Strategy and the NPPF.

14. All future reserved matters applications for any phase agreed under Condition 5 and particularly those relating to layout, scale and appearance shall be in accordance with the the principles contained within the submitted Design and Access Statement and incorporate the Mitigation Measures set out in Table 8.9 of Chapter 8, Landscape and Visual of the Environmental Statement

Reason:- To define the permission, to protect the character and appearance of the area and to secure a sustainable development

15. No facilities or buildings on the site, including recreational, entertainment and retail facilities shall be used for any purpose other than for, or ancillary to, the primary use of the development as a leisure complex

Reason;- To restrict the use in accordance with the spatial polices of the Core Strategy and in particular Polices SS6C, SS7 and the National Planning Policy Framework

16. No phase of the development as agreed under condition 5 shall commence until a detailed site layout plan (the 'Plan') has been submitted to and approved in writing by the Local Planning Authority showing pedestrian and cycle routes for that phase. The Plan shall also include the following:-

- full specification for the construction of the routes
- full details of connections through the site and onto the public highway for pedestrians and cyclists
- phasing of works

No phase of the development, as agreed under condition 5, shall subsequently be brought into use until the pedestrian and cycle routes agreed under this condition for that phase have been laid out and constructed in accordance with the details approved.

Reason:- To comply with the policies contained within the National Planning Policy Framework, the principles contained within Manual for Streets and Policies contained

within the Staffordshire Moorlands Core Strategy Development Plan 2014 all of which seek to increase connectivity and accessibility and encourage walking and cycling

17. No phase of development as agreed under Condition 5, including demolition, site stripping and other preparatory work, shall commence until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be in accordance with the Mitigation Measures set out in Table 8.10 of Chapter 8: Landscape and Visual, of the Environmental Statement. The development phase shall thereafter be carried out in accordance with the approved CEMP.

Reason:- In the interests of the character and appearance of the area in accordance with Policies DC 1, DC3 and SS7 of the Core Strategy and the NPPF.

Ecology

18. No phase of the development as agreed under Condition 5, including demolition, site stripping and any other preparatory work, shall be commenced until a Construction Ecological Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the prevailing British standard for 'Biodiversity – Code of Practice for Planning and Development and shall be based on the amended Outline Construction Ecological Management dated June 2016 prepared by Bowland Ecology and included at Appendix 9.3 of the Environmental Statement. The development phase shall thereafter be carried out in full accordance with the approved plan.

Reason:- To ensure appropriate safeguard for protected species and habitats during the course of the development in accordance with Policies NC1 of the Core Strategy and the National Planning Policy Framework

19. No development including demolition, site stripping and any other preparatory work shall be commenced until a Habitat Management Plan, relating to the area edged blue on the Integrated Wildlife Habitat Plan attached at Appendix 1 of the Outline Habitat Management Plan dated June 2016 prepared by Bowland Ecology (Appendix 9.4 of the Environmental Statement) has been submitted to and approved in writing by the Local Planning Authority. The plan shall be based on the design and management principles set out in the submitted Outline Habitat Management Plan and include details of habitat creation, phasing mechanisms, roles and responsibilities for implementation of the plan, its review and monitoring. The development shall thereafter be carried out in accordance with the approved plan.

Reason:- To secure a long term integrated biodiversity enhancement plan in accordance with Policies NC1 of the Core Strategy and the National Planning Policy Framework

Lighting

20. No phase of development agreed under condition 5 shall be brought into use until full details of the proposed lighting scheme (including floodlighting, street lighting and security lighting) for that phase has been first submitted to and approved in writing by the Local Planning Authority. Such details shall be broadly in accordance with guidance set out in the Institute of Lighting Engineers (Reduction of Light Pollution)(2011) and be accompanied by evidence that it is approved by a qualified ecologist in relation to its impact on bats. There shall be no external lighting at the development other than in accordance with the approved scheme.

Reason:- In the interests of residential amenity, the character and appearance of the area and protected species in accordance with Policies NC1, DC1, DC3 of the Core Strategy and the National Planning Policy Framework

Traffic and Access

21. No phase of the development agreed under Condition 5 shall be brought into use until full details of the following for that phase have been submitted to and approved in writing by the Local Planning Authority:

- Provision of parking, turning and servicing within the site curtilage;
- parking provision for staff parking.
- Means of surface water drainage from all areas intended to remain in private ownership;
- full road construction including longitudinal sections and a satisfactory means of draining roads to an acceptable drainage outfall.

The development phase shall thereafter be carried out in accordance with the approved details.

Reason:- To comply with the policies contained within the National Planning Policy Framework, the principles contained within Manual for Streets and Policies contained within the Staffordshire Moorlands Core Strategy Development Plan 2014.

22. The development hereby permitted shall not be commenced until details of the off site highway works at the junction of Whiston Eaves Lane and the A52 indicated on drawing PB1608/SK001 rev C hereby approved have been submitted to, and approved in writing by the Local Planning Authority. The highways works shall be completed prior to the first occupation of any part of the development hereby approved and in full accordance with the approved details.

Reason:- To comply with the policies contained within the National Planning Policy Framework, the principles contained within Manual for Streets and Policies contained within the Staffordshire Moorlands Core Strategy Development Plan 2014.

23. The development hereby permitted shall not be brought into use until such time that details (including signage and road markings) of the works to realign the main site access on Eaves Lane, indicated on drawing no PB 5196-01001 Rev C hereby

approved, so as to prohibit vehicles from turning right out of the site into Carr Bank Lane have been submitted to and approved in writing by the Local Planning Authority. The highways works shall be completed in accordance with the approved details and shall thereafter be retained for the life of the development.

Reason:- To comply with the policies contained within the National Planning Policy Framework, the principles contained within Manual for Streets and Policies contained within the Staffordshire Moorlands Core Strategy Development Plan 2014.

24. No development shall commence until details of a traffic management scheme to reduce speed levels on the A52 at the junction with the C0165 Whiston Eaves Lane have been submitted to and approved in writing by the Local Planning Authority. The approved traffic management scheme shall thereafter be completed prior to first use of any part of the development hereby approved.

Reason:- To comply with the policies contained within the National Planning Policy Framework, the principles contained within Manual for Streets and Policies contained within the Staffordshire Moorlands Core Strategy Development Plan 2014.

25. The development hereby permitted shall not be commenced until a signage scheme detailing the permitted routeing for all traffic entering and exiting the site has been submitted to and approved in writing by the Local Planning Authority. The approved signage scheme shall be completed prior to first use of any part of the development hereby approved and maintained for the life of the development.

Reason:- To comply with the policies contained within the National Planning Policy Framework, the principles contained within Manual for Streets and Policies contained within the Staffordshire Moorlands Core Strategy Development Plan 2014.

26. The development hereby permitted shall not be commenced until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall be based on the mitigation measures set out in paragraphs 13.71 – 13.73 of Chapter 13 of the Environmental Statement. The approved CTMP shall be implemented prior to the commencement of construction and thereafter be adhered to for the full period of construction.

Reason:- To comply with the policies contained within the National Planning Policy Framework, the principles contained within Manual for Streets and Policies contained within the Staffordshire Moorlands Core Strategy Development Plan 2014.

Drainage and Flood Risk

27. The first reserved matters application submitted for the site shall include a statement of general principles for the disposal of foul and surface water from the whole of the development site. No subsequent phase of the development as agreed under Condition 5 shall commence until drainage plans for the disposal of surface water and foul sewage for that phase have been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme for each phase shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the limitation of surface water run-off, less 20% upon existing rates, the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features for that phase.

The foul and surface water schemes for each phase shall be implemented in accordance with the approved details (including the agreed timing / phasing/maintenance arrangements) before the development of that phase is first brought into use and maintained thereafter in accordance with the approved details for the life of the development

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, to minimise the risk of pollution and improve water quality

28. No phase of the development as agreed under Condition 5 shall commence until an assessment of surface water flow paths and mitigation measures together with timescale for implementation of such mitigation measures for that phase has been submitted to and approved in writing by the Local Planning Authority. The development phase shall thereafter be carried out in accordance with the approved details and timetable and maintained thereafter in accordance with the agreed details for the life of the development

Reason:- To provide adequate mitigation for overland flow and thereby not increasing flood risk.

29. Prior to any works taking place within 5 metres of any open watercourse crossing or adjacent to the site, details of such works shall be submitted to the Local Planning Authority for its written approval. The development shall thereafter be carried out in accordance with the approved details.

Reason:- To allow maintenance of the watercourse, to protect the river habitat, to prevent destabilisation of the river banks and to allow for natural processes of erosion and deposition

30. No floor level shall be less than 150mm above ground level.

Reason:- To protect the development from overland flow.

Noise during construction and operation

31. A scheme for the containment of operational related noise for any buildings hereby approved which are designed for entertainment and leisure purposes shall be submitted to and approved by the Local Planning Authority prior to the occupation of that building. The approved scheme(s) shall be fully implemented prior to the

occupation of that building.
Reason: To protect the nearby properties from noise.

32. The proposed lodges shall be constructed and sound insulated so as to achieve internal noise levels for daytime Laeq16hr at 35dB and night time Laeq8hr 30dB. All measurements should be pursuant to BS8233:2014.

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

33. There shall be no means for the amplification of sound (music, voice, soundtrack) installed to the exterior of any buildings hereby approved with the exception of fire and security alarms.

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

34. No plant or machinery shall be installed within any part of the development hereby approved until a scheme specifying the make, model and position of the plant or machinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of the predicted sound levels that will result from the plant or machinery at noise sensitive locations. The methodology of such assessment including the noise sensitive locations shall be first agreed in writing by the Local

Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved scheme.

Reason:- To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution

35. No phase of the development as agreed under Condition 5 shall take place, including works of site clearance and demolition, until a Construction and Environmental Method Statement for that phase of the development has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the method and duration of any pile driving operations (expected starting date and completion date)
- II. details of vibration mitigation based on the measures advised and discussed in sections 15.113 to 15.115 of Chapter 15 of the Environmental Statement check and having regard to BS 5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites.
- III. 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;
- IV. 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;

- V. the arrangements for prior notification of pile driving to the occupiers of potentially affected properties;
- VI. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VII. details of wheel washing facilities. All construction vehicles shall have their wheels cleaned before leaving the site;
- VIII. a scheme for recycling/disposal of waste resulting from the construction works;
- IX. the parking of vehicles of site operatives and visitors;
- X. the loading and unloading of plant and materials;
- XI. the storage of plant and materials used in constructing the development;
- XII. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- XIII. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: To protect the amenities of the area.

Contamination

36. No phase of the development as agreed under Condition 5 shall commence until a further risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site in that phase. The investigation and risk assessment shall be undertaken by competent persons and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. A written report of the findings for that phase shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The report of the findings shall include;

- a. A further survey of the extent, scale and nature of any potential contamination;
- b. A detailed risk assessment of all known site contaminants based on the potential risks to:
 - Human health;
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
 - Adjoining land;
 - Ground and surface waters;

- Ecological systems and
- Archaeological sites and ancient monuments

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

37. If the risk assessment approved under Condition 36 indicates that remediation is required for a phase of the development, then no development of that phase 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 for that phase. The scheme must include:

- a. A remediation strategy giving full details of remediation objectives and remediation criteria
- b. 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.

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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

38. Prior to bringing each phase of the development agreed under condition 5 into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy (if required) at Condition 37 and the effectiveness of the remediation for that phase 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

39 .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 in accordance with the requirements of Condition 36 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirement of condition 37 and submitted to and approved in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted to and approved in writing by the Local Planning Authority in accordance with condition 38.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

40.No top soil shall 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 should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

Trees/Landscaping

41.A full Arboricultural Impact Assessment prepared in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and*

Construction– Recommendations shall accompany the first reserved matters application submitted for each phase agreed under Condition 5 and shall address any potential impact on trees arising from construction and operational use of the development hereby approved including access roads, car parks, lodges, administrative, service and leisure activity related structures and facilities in that phase.

Reason:- In the interests of tree protection in accordance with Policy NC1 of the Core Strategy

42. Before the commencement of any phase of the development agreed under Condition 5 (including any demolition, site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees to be retained in that phase shall be erected in accordance with 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 in that phase. 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 by the LPA..

Reason:- In the interests of tree protection in accordance with Policy NC1 of the Core Strategy

43. No trees, shrubs or hedgerows shall be removed other than those:-

- a) whose removal is directly required to accommodate the development as subsequently approved under a detailed reserved matters or full planning application and;
- b) those whose removal is in accordance with any landscaping scheme or habitat and landscape management and development plan approved in connection with the development hereby approved.

There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless otherwise agreed by the Local Planning Authority

Reason: In the interests of tree protection in accordance with Policy NC1 of the Core Strategy

44. The first reserved matters application submitted for the site shall be accompanied by a comprehensive Structural Landscape Strategy, giving details of proposed creation, maintenance, management and development, including timescales and delivery mechanisms, for all structural landscaping across the site. The Structural Landscape Strategy shall be in general accordance with the mitigation and enhancement measures relating to landscaping set out in Chapter 8 (Landscape and Visual) and Chapter 9 (Ecology) of the Environmental Statement. The Strategy shall

include for a minimum 20 year maintenance and management operations including timetabled detailed management prescriptions for all structural landscaping throughout the site, to be monitored and reviewed every 5 years. The development phases shall thereafter be carried out in accordance with the agreed details and timescales.

Reason: In the interests of the character and appearance of the area in accordance with Policies NC1 and DC3 of the Core Strategy and advice in the Framework

Waste

45. No phase of the development agreed under Condition 5 shall commence until a Site Waste Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The development phase shall thereafter be carried out in accordance with the approved plan.

Reason: To protect the amenities of the area and in the interests of securing sustainable development.

Dust

46. No phase of the development approved under Condition 5, including demolition, site stripping and preparatory work shall commence until a full Dust Management Plan and method to monitor the effectiveness for any proposed dust mitigation measures together with a timetable for implementation for that phase has been submitted to and agreed in writing the Local Planning Authority. The Dust Management Plan shall be in accordance with the submitted dust assessment/mitigation methodologies submitted in Chapter 12 of the Environmental Statement and include specific measures for controlling dust on areas presumed to be contaminated. The development phase shall thereafter be carried out in accordance with the agreed details and timetable.

Reason: In the interests of the protection of residential amenity.

Archaeology/Heritage

47. No phase of the development agreed under Condition 5 shall be commenced, including demolition and site clearing, until an Archaeological Watching Brief, Walkover and Earthwork Survey specification for that phase has been submitted to and approved in writing by the Local Planning Authority. The specification shall define the area of archaeological interest to be subject to the investigation and provide details of the programme of archaeological works to be carried out within this area, including post-excavation reporting and appropriate publication and interpretation. The Scheme shall thereafter be implemented in full in accordance with the approved details

Reason:- In the interests of protecting the historic environment

48. Prior to any part of the development hereby approved coming into use an Interpretation board shall be erected on or close to the site of the former Whiston

Eaves Farmhouse and Stable block on Whiston Eaves Lane. The siting, size, design, materials and wording for the board shall be previously submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of the historic environment

Informative

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF
2. This permission should be read in conjunction with the corresponding Unilateral Undertaking dated 26th October 2016
3. Condition 22 above requiring off-site highway works shall require a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Agreement Information Pack and an application form for the Major Works Agreement. Please complete and send to the address indicated on the application form which is Network Management Unit, Staffordshire County Council, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, ST16 2DH (or email to nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>
4. Under the Land Drainage Act 1991, Consent will be required for the construction of any mill dam, weir, or like obstruction to flow. Within Staffordshire the County Council is now responsible for the regulation of these activities where they affect ordinary watercourses Please contact: Hannah Hogan, Flood Risk Planning & SuDs Officer via e-mail on hannah.hogan@staffordshire.gov.uk or via telephone: 01543 334583 if you would like to discuss this response.
5. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.
 - 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: 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/document/s/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 and with the procedural guidance relating to the contaminated land regime. 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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

- 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.

X *B.J. Haywood*

Signed by: Haywood, Ben

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 buildingcontrol@staffsmoorlands.gov.uk
2. 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.
3. 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.
4. 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.
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.