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Gravel Bank Farm Caverswall Common  
Lane  
Caverswall  
Staffordshire  
ST11 9EU

Application no: SMD/2024/0155

Determined on: 18/06/2024

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

**APPROVAL OF RESERVED MATTERS**

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:**

Gravel Bank Farm Caverswall Common Lane Caverswall Staffordshire ST11 9EU

**Description of Development:**

Application for Approval of Reserved Matters in  
relation to application SMD/2022/0344

Approval of matters of scale, siting, appearance, landscaping and means of access, as per  
the requirements of Condition 3 of the outline consent

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development.

1. The development hereby approved, including the landscaping of the site and planting specifications, shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

1876 100 Revision A  
1876 101 Revision A  
1876 102 Revision A  
1876 103 Revision A  
1876 104 Revision A  
1876 105 Revision A  
1876 106 Revision A

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity

and the avoidance of doubt.

2. The development hereby permitted shall not be commenced until details of the 2.4mx110m to the east and 2.4mx50m to the west visibility splays have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall be provided prior to the first occupation of the development and thereafter be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development being brought into use.

Reason:-

In the interests of highway safety.

3. The development hereby permitted shall not be brought into use until the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed, hedge planted and the access crossing reinstated as verge.

Reason:-

In the interests of highway safety.

4. Before the proposed development is brought into use the access within the limits of the public highway shall be completed.

Reason:-

In the interests of highway safety.

5. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plan 1876-100 Site Plan. 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.

6. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor, connected to a surface water outfall or drained to SUDs principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

Reason:-

In the interests of highway safety.

7. If any part of the hedgerows adjacent to Caverswall Common Lane are required to be removed to provide the required highways visibility splays they shall be replaced before the development is first brought into use in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the appearance of the site.

8. No trees and hedges within the blue and red line application site(s) shall be removed unless their removal is essentially required for the approved development to be undertaken.

Reason:-

In the interests of the appearance of the site.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:-

In the interests of the appearance of the site.

### **Informatives**

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

2. The applicant is reminded that details of drainage, materials, ecology method statements, a CEMP, a ground contamination survey and lighting are required to be submitted and approved prior to the commencement of works in accordance with the conditions attached to outline permission SMD/2022/0344.

3. The construction of the bellmouth access and reinstatement of the redundant access shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to ([highway.agreements@staffordshire.gov.uk](mailto:highway.agreements@staffordshire.gov.uk)). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

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

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

"" Any approved noise scheme and measurements should pay due regard to the Professional Guidance on Planning and Noise: New Residential Development (ProPG), British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014+A1:2019 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance

"" Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download <http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf>

"" The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011(or later versions). It should be designed

so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

| Illuminated area m2 |     | Zone E1 | Zone E2 | Zone E3 | Zone E4 |
|---------------------|-----|---------|---------|---------|---------|
| Up to 10.00         | 100 | 600     | 800     | 1000    |         |
| Over 10.00          | n/a | 300     | 600     | 600     |         |

#### Environmental Zones

Zone Surrounding Lighting Environment Examples

E0 Protected Dark UNESCO Starlight Reserves, IDA Dark Sky Parks

E1 Natural Intrinsically dark National Parks, Areas of Outstanding Natural Beauty etc.

E2 Rural Low district brightness Village or relatively dark outer suburban locations

E3 Suburban Medium district brightness Small town centres or suburban locations

E4 Urban High district brightness Town/city centres with high levels of night-time activity

The guidance advises that, where an area to be lit lies on the boundary of two zones or can be observed from another zone, the limits used should be those applicable to the most rigorous zone.

"" During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

"" If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

"" Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.

"" The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and ""appropriate person"". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.

"" Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

"" During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes

"" The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill

site.

Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

X *B.J. Haywood*

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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](http://dbcp.co.uk); Email: [info@dbcp.co.uk](mailto: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](http://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](http://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.

