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Mr & Mrs Edin
Hillcroft Froghall
Staffordshire
ST10 2HQ

Application no: SMD/2023/0574

Determined on: 31st October 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:

Hillcroft Froghall Road Froghall Staffordshire ST10 2HQ

Description of Development:

Extensions to Dwelling and Replacement Outbuildings with Landscaping Works

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 approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

PL01F
PL02A
PL03H
PL04D

PL05A
PL06B

Reason:- For the avoidance of doubt, in the interests of proper planning and in accordance with the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, AA, B, C, D, E, F, G and H and/or Part 2 Class(es) A, B and C, 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. In the interests of good design and in the interests of protecting nearby trees.

4. All new house roof tiles (including the porch) and new areas of render shall match in colour, form and texture, those tiles and render of the existing house and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works harmonise with the existing development.

5. All new windows shall be anthracite framed upvc units.

Reason:- For the avoidance of doubt as to what is approved and in accordance with the applicant's intentions.

6. Prior to the construction of the porch hereby permitted, details of the proposed brick type shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the agreed details.

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

7. No development shall take place until a Method Statement detailing the design and means of constructing the foundations of the extensions and outbuilding hereby permitted (and including cross sections showing the position and depth of foundation excavations relative to the adjacent Caldon Canal cutting slope) has first been submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall demonstrate that the development will not adversely affect the stability of the adjacent cutting slope either during or after construction. The development shall thereafter only be carried out in accordance with the agreed Method Statement

Reason: - In the interests of avoiding the risk of creating land instability arising from any

impacts from excavations and other construction operations which could adversely affect the stability of the adjacent Caldon Canal cutting slope in accordance with the advice and guidance on land stability contained in paragraphs 180, 189 and 190 of the National Planning Policy Framework and in the National Planning Practice Guidance. A pre-commencement condition is necessary as the Construction Method Statement is required to inform construction operations from the outset

8. Prior to the commencement of development details of the design and location of all new soakaways to discharge surface water run-off (including details in the form of percolation test results) to demonstrate suitability of the ground for infiltration) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, retained for the lifetime of the development and completed in full prior to first use of the development hereby permitted. (Please note it is important that no new soakaways are located near to the crest of the cutting slope as the action of a soakaway can adversely affect slope stability).

Reason:- in the interests of securing suitable drainage arrangements.

9. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

"" 08:00 - 18:00 hours (Monday to Friday);

"" 08:00 - 13:00 hours (Saturday)

"" No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours

10. I. 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. All waste transfer records shall be retained for inspection by officers of the Local Planning Authority;

II. 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. 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. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These shall be made available for inspection when required by officers of the Local Planning Authority

Reason: To protect the amenities of the area during construction

11. Development shall not commence until either:

A ground gas risk assessment has been completed in accordance with a scheme to be agreed in writing with the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and agreed in writing with the Local Planning Authority. If the risk assessment indicates that gas protection measures are required, details of the gas protection scheme must be submitted to and agreed in writing with the Local Planning Authority prior to installation.

Or

A moderate ground gas risk in line with that defined as a Characteristic 3 * situation (as defined in CIRIA C665; Assessing Risks Posed by Hazardous Ground Gases to Buildings, London CIRIA, 2007) is assumed and details of the appropriate gas protection scheme submitted to and agreed in writing with the Local Planning Authority prior to installation.

Prior to the development being first brought into use, a validation report demonstrating completion of the works set out in the approved gas protection scheme shall be submitted to and approved in writing 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

12. In the event that contamination 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 exist 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.

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

13. Following completion of measures identified in the approved remediation scheme and

prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the local planning authority.

Reason:- To ensure that 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

14. Before the commencement of development (including any demolition, site clearance, site stripping, site establishment, and formation/improvement of temporary/permanent access) full details of all tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include specification and positions for temporary tree protection barriers, full construction specification and installation method for a no-dig cellular confinement system (EcoCell or similar, as noted in the Arboricultural Impact Report submitted in support of the application) for areas of vehicle access to the proposed new outbuilding hereby approved where these are within the Root Protection Areas of existing trees, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees on and adjacent to the application site arising from demolition and construction operations. Such method statement and protection measures shall specifically include details and timeline sequences to ensure that appropriate measures are implemented to protect trees and in particular their root systems from the initial outset of any demolition or construction activity. Thereafter, the development shall be constructed only in full accordance with the details approved under this condition.

Reason:- In the interests of protecting trees to remain.

15. Before the development hereby approved is first brought into use, the four existing outbuildings shall be fully and permanently removed from site, including all constructed bases, foundations and compacted hardcore sub-bases supporting these buildings. The footprint areas of the buildings to be removed shall be restored to unmade ground suitable for establishment of vegetation in accordance with a landscaping scheme which shall have firstly been submitted to and approved in writing by the Local Planning Authority, other than where any such areas are to accommodate extensions, new buildings and hard surfaced areas in accordance with the plans approved under this planning permission.

Reason:- In the interests of visual impact

16. Within 2 months after the commencement of development (including any demolition, site clearance, site stripping, site establishment, and formation or improvement of site access) a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall in particular make provision for the establishment and development of complementary semi-natural habitat within a minimum 15m wide buffer strip to the existing Ancient Woodland lying along the north-east and east edge of the application

site. The submitted landscaping scheme shall include full details of all proposed new trees, shrubs and other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting, along with an outline of establishment maintenance and future habitat management. The landscaping scheme once approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs etc planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason: - In the interests of securing a suitable planting scheme and in the interests of ecology.

17. Prior to first use of any part of the development hereby approved, details of one bird box and one bat box including their type/specification and proposed locations shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed in accordance with the approved details prior to first occupation of any of the development and retained for the lifetime of the development.

Reason:- In the interests of accommodating protected species.

Informatives

1. 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 m ²	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	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 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.

- 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

2. The applicant(s)/developer(s) is reminded that this permission removed Permitted Development Rights in respect of development which would otherwise not require planning permission. You are advised to contact the Local Planning Authority Development Control Section telephone 0345 6053013 before undertaking any other development in the future in order to ascertain whether planning permission is required.

3. Severn Trent Water have advised that all extensions are dealt with by Building Regulations, and if an asset is affected by the works, then the applicant will need to contact Severn Trent Water:

If the site is domestic, please contact: the Buildover team within Networks Solutions team at Severn Trent Water to discuss the proposals. The email address for the Buildover team is: building.over@severntrent.co.uk

If the site is commercial, please contact: the Asset Protection team at Severn Trent Water to

discuss the proposals. The email address for the Asset Protection team is:
Asset.Protection@severntrent.co.uk

4. The Coal Authority inform that under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. The Coal Authority state that failure to obtain permission to enter or disturb their property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

5. In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

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.