STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr S Rogers
St. Modwen Homes
Two Devon Way
Birmingham
United Kingdom
B31 2TS

Application no: SMD/2023/0593

Determined on: 6th December 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:
Land South West of Levison Street Blythe Bridge Phase 2A Blythe Bridge Staffordshire

Description of Development:
Full planning application for residential development comprising 14 dwellings (Use Class C3), access and internal road for vehicle, footpaths and cycle linkages, parking, landscaping, ecological habitats and associated infrastructure and earthworks.

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 complete accordance with the submitted plans and specifications as follows:-
   - R9074-SMH-23-00-DR-A-0004_P02: Location Plan

- R9074-SMH-23-00-DR-A-0010_P08: Planning Layout
- R9074-SMH-23-00-DR-A-0011_P08: Coloured Planning Layout
- R9074-SMH-23-00-DR-A-0016_P03: Boundary Treatment Plan
- R9074-SMH-23-00-DR-A-0017_P04: Materials Plan
- R9074-SMH-23-00-DR-A-0018_P03: Refuse Plan
- R9074-SMH-23-ZZ-DR-A-0019_P01:852 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0020_P01:852D House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0021_P01:932 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0022_P01:1021 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0023_P01:1136 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0024_P01:1206 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0025_P01: 1362 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0026_P01: 1454 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0027_P01: 1535 House Type Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0028_P01: Single Garage Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0029_P01: Twin Garage Planning Drawing
- R9074-SMH-23-ZZ-DR-A-0033_P02: Boundary Details
- R9074-BML-23-00-DR-C-0800_P4: Proposed Levels Plan
- R9074-BML-23-00-DR-C-0801_P9: Proposed Drainage Plan
- R9074-BML-23-00-DR-C-0803_P3: Proposed Vehicle Tracking Plan
- R9074-BML-23-00-DR-C-0805_P3: Bulk Earthworks Plan
- R9074-LLA-23-00-DR-L-0201: Detailed Planting Proposals P04
- R9074-LLA-23-00-DR-L-0301: Landscape Specification and Details P01
- R9074-LLA-23-00-RP-L-0901: Landscape Management Plan P02

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

3. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.

   Reason:- In the interests of highways safety.

4. The garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation unless a further planning permission has first been granted on application to the Local Planning Authority.

   Reason:- In the interests of highways safety.

5. No development shall begin until the final detailed surface water drainage design and a

construction phase Surface Water Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The drainage design shall be based upon Proposed Drainage Plan (Drg No. R9074-BML-23-00-DR-C-0801- Rev P9 (dated 02/07/2024), Proposed Levels Plan (Drg No. R9074-BML-23-00-DR-C-0800 – Rev P4, dated 07/11/2023) and the Flood Risk Assessment & Drainage Strategy Report (rev 1.2, July 2023). The design must demonstrate:

- Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on any sullies, attenuation system, SuDS features (water butts, permeable pavement, attenuation tank, hydrobrake and swale system) and the outfall arrangements.
- Calculations which shall demonstrate the performance of the drainage system during the critical storm events for the 2-year, 30-year, and 100-year plus climate change return periods.

A plan showing the impermeable areas of the final site layout shall be provided, and all contributing areas shall be increased by a factor of 10% to model the impact of urban creep over the developments lifetime.

A climate change factor of 40% shall be added onto any rainfall data.

- The final design shall include the finished floor levels (FFL) of the proposed dwellings.

  To prevent ingress of surface water, the FFL shall be 150mm above the surrounding ground where appropriate.

At the very minimum (and where level access is required for access purposes etc.,), all surrounding ground shall slope away from the proposed buildings and infrastructure such as permeable paving and/or drains etc., shall be designed to intercept any surface water prior to inundation of access and egress points.

- Final management and maintenance plan with a named body responsible for undertaking the required maintenance over the lifetime of the development.

The Surface Water Management Plan (SWMP) shall include detail upon all temporary and permanent mitigation measures required to ensure the management of surface water runoff and potential contaminants during the Construction Phase.

The plan shall ensure that all surface runoff is conveyed, attenuated, stored and treated within the site boundary and does not affect 3rd party land before discharging to a confirmed point of outfall at a rate no greater than that of the existing site.

The development shall be carried out and subsequently managed in completed accordance with the approved SWMP

Reason:- To ensure the approved development does not increase flood risk whilst the principles of sustainable drainage are incorporated into the scheme and to comply with Policy SD5 of the Adopted Staffordshire Moorlands Local Plan and National Planning Policy Framework.

6. 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 exists to any identified receptors, development shall not commence 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 an approved in writing by the Local Planning Authority.

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

7. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy construction 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 construction 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 in accordance with PolicyDC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

8. No development shall commence on site (including any, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) until such time that temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained have been erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and these barriers and notices shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority. Within the fenced areas there shall be no excavation,

changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In order to protect existing trees in the interests of the character and appearance of the area in accordance with Policy NE2 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

9. The landscaping scheme hereby approved in the Landscape Management Plan P02 (Liz Lakes June 2023) and accompanying plans: R9074-LLA-23-00-DR-L-0301P01 and R9074-LLA-23-00-DR-L-0201 P04 shall be carried out in accordance with the approved schedule and any landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of visual amenity, in accordance with Policy NE2 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

10. No phase of the development hereby permitted shall take place except for works of site clearance and demolition until a Construction and Environmental Management Plan for that phase of the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

    a) 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;

    b) the method and duration of any pile driving operations (including expected starting date and completion date);

    c) 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;

    d) the arrangements for prior notification to the occupiers of potentially affected properties;

    e) the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

f) a scheme to minimise dust emissions arising from construction activities on the site.

g) a scheme for recycling/disposal of waste resulting from the construction works;

h) the parking of vehicles of site operatives and visitors;

i) the loading and unloading of plant and materials;

j) the storage of plant and materials used in constructing the development;

k) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

l) details of measures to protect the public footpaths and amenity of users of the pubic footpaths crossing the site during the construction works,

m) 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,

n) details of any generator/s to be used on site. They shall be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,

All works shall be carried out in accordance with the approved Construction and Environmental Management Plan. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to any deviation from it.

Reason:- To protect the amenities of the area amenity of local residents and that of the surrounding area from noise disturbance, in accordance with Policy DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework

11. The external artificial lighting incorporated into this site in connection to this approval shall not increase the pre-existing illuminance or cause glare at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all external artificial lighting to be installed on site shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason:- To protect the local amenities of the local residents by reason of excess of illuminance, in accordance with Policy DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

12. Pre-completion sound tests shall be carried out to verify compliance with the criteria sound

levels in British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), Professional Practice Guidance on Planning & Noise: Residential Development (IOA and ANC 2014). A report shall be produced containing all raw data and showing how calculations have been made and submitted to and approved in writing by the Local Planning Authority. No dwelling within that phase hereby permitted shall be occupied until the sound test report has been approved in writing by the Local Planning Authority.

Reason:- To protect occupiers from noise and safeguard their residential amenity, in accordance with Policy DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

13. 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.

Reason:- To ensure all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks and to comply with Policy SD4 of the Staffordshire Moorlands Local Plan and National Planning Policy Framework.

14. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site.

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

Reason:- To ensure all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks and to comply with Policy SD4 of the Staffordshire Moorlands Local Plan and National Planning Policy Framework.

15. No development shall commence until a Biodiversity Gain Plan has been submitted to the planning authority, and approved in writing. Development shall be carried out and subsequently maintained in accordance with the approved plan.

Reason:- To comply with paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990

16. The development shall not commence until a Habitat Management and Monitoring Plan (the (HMMP), prepared in accordance with the approved Biodiversity Net Gain plan and including:-

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan with timescale for implementation of such works

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the Local Planning Authority. The development shall subsequently proceed in accordance with the agreed HMMP and implementation timescale

Reason:- To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy NE 2.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises the LPA to work proactively with applicant(s) to secure developments which improve the economic, social and environmental conditions of the area.

2. This permission shall be read in conjunction with an agreement made under Section 106 of The Town and Country Planning Act 1990 and dated 4 December 2024.

3. This site forms part of a wider development which requires technical approval and a S38 agreement. The works required for the proposed internal road network which are to be adopted or to remain private will require approval under Section 7 of the Staffordshire Act 1983. This permission does not constitute a detailed design check. The applicant is requested to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. It will, therefore, be necessary

for maintenance/ management arrangements for the private internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standards, the roadways within the site will still need to be constructed to be 'fit for purpose'.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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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.

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. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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

11. 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.

12. 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.

13. 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)

14. 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.