STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Miss Billie Chell
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17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Cheadle Town Council
C/O Agent

Application no: SMD/2023/0361

Determined on: 13th 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:
Cemetery Park Lane Cheadle Staffordshire ST10 1PD

Description of Development:
Proposed extension to existing cemetery together with proposed parking area (Resubmission of application ref:SMD/2020/0602)

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
AL (0) 11A Site plan proposed
AL (0) 12A Site sections
AL (0) 13 Location plan
AL (0) 14A Proposed Landscaping plan

AL (0) 16A Partial site plan of car park
AL (0) 17A Footpaths during works

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

3.All construction activities and delivery times shall take place during the following hours:
"" 08:00 - 18:00 hours (Monday to Friday);
"" 08:00 - 13:00 hours (Saturday)
"" No working is permitted on Sundays or Bank Holidays.

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

4.The development hereby permitted shall not take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement should include the following details:-
I. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
III. A scheme for recycling/disposal of waste resulting from the demolition/construction works;
IV. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint,
V. 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,
VII Full details of soil placement/disposal from the car park and path excavations. If to be placed on site this would represent an additional landscaping opportunity (see requirement for updated biodiversity metric in Condition 11)

Once approved, all relevant activities on the site should be carried out in accordance with the approved Construction and Environmental Management Plan throughout the course of the development. Any alteration to this Plan shall be approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the area and in the interests of biodiversity

5. No external lighting shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed strictly in accordance with the agreed details.

Reason:- To protect the character and appearance of the area including the openness of the

Green Belt, the amenity of nearby residential properties and protected species.

6.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 AL(0)11 A. 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

7. Subsequent development within Zones 2 and 3 shall not commence until a strategy to assess and mitigate the risks to groundwater has been submitted to and approved in writing by, the local planning authority. This strategy will include the following components.

1. A site investigation scheme based on the Sladen Associates Updated Groundwater Risk Assessment, to provide information for a Tier 2 preliminary quantitative groundwater risk assessment for evidence to support Zones 2 and 3 of the site.
2. If required by the Tier 2 assessment in (1) above, a Tier 3 detailed quantitative risk assessment.
3. Where required by any stage of the agreed risk assessment, a method statement for safe construction and operation of the proposed cemetery development.
4. A completion statement to demonstrate that work specified in the method statement in (3) above has been suitably carried out. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).

8. All burials in the cemetery shall be:
• a minimum of 250m off any well, spring or borehole where the water is intended for human consumption or used in food production
• a minimum of 50 metres from a potable groundwater supply source
• a minimum of 30 metres from a water course or spring • a minimum of 10 metres distance from field drains
• a minimum of 1 metre above the highest anticipated annual groundwater level
Reason: To protect the quality of controlled waters in the local area and to comply with Position Statement L3 in 'The Environment Agency's approach to groundwater protection'

9. 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 and approved in writing by the local planning authority.

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 submitted to and approved in writing by the local planning authority.

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

10. The development hereby permitted shall be carried out strictly in accordance with the species protection/ mitigation measures as set out in the Preliminary Ecological Appraisal (updated) 21 January 2021 by Apex Ecology.

Reason:- In the interests of biodiversity

11. The development hereby approved shall not be brought into use until such time that a 30 year Ecological Management and Monitoring plan (which shall include an updated biodiversity metric) has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved plan for 30 years from the date of its approval by the Local Planning Authority

Reasons:- In the interests of biodiversity enhancement

12. Notwithstanding the details shown on the approved plans, the existing barbed wire fence to the northern boundary shall be replaced with 1.8m high metal railing fence.

Reason: To ensure livestock proof fencing to the neighbouring agricultural land.

Informative

1.This amended scheme is considered to be a sustainable form of development whcih complies with the provisions of the NPPF

2.The granting of planning permission does not constitute authority for any interference with the public right of way and associated items – or obstruction (temporary or permanent). The term obstruction, in this context, also applies to items such as gates or stiles which are regarded as "licenced" obstructions which must be sanctioned by the highways authority.

It is imperative that users of the path are able to exercise their public rights safely and at all times and that the path is reinstated if any damage to the surface occurs as a result of the proposed development.

If any public rights of way do need diverting as part of these proposals the developer must apply to Staffordshire Moorlands District Council under section 257 of the Town and Country Planning Act 1990 to divert the public rights to allow the development to commence. For further information the applicant must read section 7 of DEFRA's Rights of Way Circular (1/09). In such an instance it is also strongly suggested, in order to avoid unwanted complications, that guidance should be sought from Staffordshire County Council as Highways Authority, regarding the exact position of the Public Right of Way shown on the Definitive Map.The possibility of the existence of a currently unrecognised public right of way, makes it advisable that the applicant pursue further enquiries and seek legal advice regarding any visible route affecting the land, or the apparent exercise of a right of way by members of the public.

3. 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 the Professional Guidance on Planning and Noise (ProPG), British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance
"" Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment http://www.bsigroup.com

"" 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
"" 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.

"" 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 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 Health Department and agreed in principle prior to site investigation works being undertaken. The Environmental Health 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.

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Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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.

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.

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
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