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Mr Smallwood
Stanley Farm Bungalow Dial Lane
Congleton
Staffordshire
SK11 0RU

Application no: SMD/2025/0249

Determined on: 10/12/2025

**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:

Stanley Farm Bungalow Dial Lane Congleton Staffordshire SK11 0RU

Description of Development:

DEMOLITION OF 2 AGRICULTURAL BUILDINGS TO BE REPLACED BY CUSTOM SELF-BUILD HOUSE; INSTALLATION OF A PACKAGE SEWAGE TREATMENT PLANT, INSTALLATION OF GROUND SOURCE HEAT PUMP PIPE WORKS, SOLAR PANELS AND THE CONSTRUCTION OF 1.5M BOUNDARY WALL

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 consent.

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, including the building materials specified, shall be completed in exact accordance with the submitted amended plans and specifications as follows:-

C545 25 N1 Rev 1

C545 25 N4 Rev 2

C545 25 N6 Rev 2

C545 25 N7 Rev 2

C545 25 N8 Rev 1

C545 25 N9

Reason:-

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

3. Notwithstanding any details in the above drawings, before the installation of any windows and rooflights, further details of the windows and rooflights including the frame materials and colours, shall be submitted to and approved in writing by the local planning authority and the approved windows and rooflights shall be provided in exact accordance with the approved details.

In the interests of the character and appearance of the area.

4. All windows and external doors shall be placed with a reveal (set back from the wall) of at least 100mm

Reason:-

In the interests of the character and appearance of the building.

5. There shall be no extraction to provide the approved dry-stone wall and no part of it shall exceed a height of 1.5 metres.

Reason:-

In the interests of the character and appearance of the area.

6. The entrance gate hereby approved shall be a five-bar timber or metal gate.

Reason:-

In the interests of the character and appearance of the area.

7. The rooflights shall be fitted flush with the roof slates or tiles and shall not protrude above the roof slope.

Reason:-

In the interests of the character and appearance of the area.

8. The rainwater goods shall comprise a black metal finish.

Reason:-

In the interests of the character and appearance of the area.

9. All external doors on the south-east elevation shall comprise vertically boarded timber.

Reason:-

In the interests of the character and appearance of the area.

10. The garage hereby approved shall be used solely for the parking of vehicles and for storage purposes ancillary to the residential use of the site and shall not be used for any business or commercial purposes including commercial storage or rented out or sold off from the application site for any purpose.

Reason:-

In the interests of the character and amenities of the area.

11. The development hereby permitted shall be constructed as a self-build or custom-build dwelling within the definition of self-build or custom-build housing in the 2015 Self-Build and Custom Housebuilding Act (as amended by the 2016 Housing and Planning Act or as defined within relevant successor legislation). For a period of 3 years from the completion of the dwelling hereby permitted the occupation of the dwelling shall be limited to Mr Scott Smallwood, their spouse, partner, widow or widower and to any resident dependents and the dwelling shall be their sole or main place of residence.

Reason:-

To ensure that the development remains a custom / self-build development and is therefore a genuine exemption to Biodiversity Net Gain requirements in accordance with Schedule 7A of the Town and Country Planning Act 1990

12. Before the development is first brought into use, full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- Means of enclosure

- Hard surfacing materials

Soft landscape details shall include:

- Planting plans

- Written specifications (including cultivation and other operations associated with plant and

grass establishment)

- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason:-

To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

13. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) windows or any other openings other than those shown on the approved plans shall be installed in any part of the development, unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:-

To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no further development as specified in Part 1 Class(es) A, B, C, D, E and F or Part 2 Class(es) A to C 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 and to protect the residential amenities of neighbouring residents.

16. Unless prior permission has been obtained in writing from the Local Planning Authority, all 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.

Reason:-

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

17. The development shall be carried out in accordance with the following:

- a. 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;
- b. No activity hereby permitted shall cause dust to be emitted beyond the site boundary. 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

18. (a) Following completion of measures outlined in the approved remediation scheme by Peak Environmental Solutions Ref: 42334R2/lss/Rev-A ""Land Contamination Remediation Strategy - Land at Stanley farm, Dial lane, Congleton, Cheshire, SK11 0RU"" and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced and shall be submitted and approved in writing by the Local Planning Authority.

(b) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures. 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 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.

19. No top 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. The methodology shall 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 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.

20. The external artificial lighting installed at this site in connection to this development shall not increase the pre-existing illuminance or cause at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission shall be submitted to and approved in writing by the Local Planning Authority prior to installation and shall be so installed in accordance with the approved details.

Reason:-

To protect the local amenities of the local residents by reason of excess of illuminance.

21. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and as set out in the Murray Tree Consultancy Arboricultural Report dated November 2024 submitted in support of the application hereby approved, 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 the interests of the character and appearance of the area.

22. Before any construction (including ground clearance and preparation) for the new footpath and steps to the rear (north-west) elevation of the "lower barn" element of the development hereby approved, full details of the specification and construction methods for these areas

shall be submitted to and approved in writing by the local planning authority and shall in particular make provision for the use, throughout the hard-surfaced areas within the Root Protection Areas of protected trees to be retained, of ""no-dig"" construction methods together with permeable final surfacing. Thereafter, the development shall be constructed only in full accordance with the details to be approved under this condition.

Reason:-

In the interests of the character and appearance of the area.

23. The development hereby permitted shall not be brought into use until details of the 2.4m x 67m visibility splay to the north has been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept free of all obstructions to visibility between a height of 600 mm and 2000mm 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.

24. The development hereby permitted shall not be brought into use until the parking, servicing and turning areas have been provided in accordance with the approved plan C545-25/N7. 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 highway safety.

25. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 5m back from the carriageway edge in accordance with details to be first submitted to and approved in writing by the Local planning authority. The access shall thereafter be surfaced in accordance with the approved details.

Reason:-

In the interests of highway safety.

Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of the NPPF.
2. It is advised that all new windows are timber.
3. It should be noted that the application site and wider holding lie wholly within Area A1

protected under Tree Preservation Order no. SM.77 with all trees present at the time of its making (in 1991) being subject to the protection of this Order. Other than where directly required to implement the development hereby approved, the planning permission hereby granted does not authorise any work to protected trees. Separate specific application to and grant of consent by the local planning authority for any such proposed work to protected trees would be required, other than where specified as exempt under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

4. 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 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>

"" 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.

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.

"" 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 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: 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.
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.