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Application no: SMD/2025/0533

Determined on: 14/08/2026

**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 Rear Of The Royal Oak High Street Dilhorne Staffordshire ST10 2PE

Description of Development:

Erection of a detached self-build dwellinghouse.

(Re-submission of outline application SMD/2022/0658 (approved at appeal) and approved reserved matters application SMD/2024/0304, to position the proposed dwelling away from an existing drain)

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 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

- 01250 AL(0)10A

- 01250 AL(0)11
- 01250 AL(0)12
- 01250 AL(0)13

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 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 Michael and Mrs Susan Cunningham 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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) AA, A, B, C and E shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:- To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the immediate area.

5. The facing and roofing finishing materials to be used in the construction of the approved development shall be those specified in the 'Material Schedule' by Hewitt & Carr Architects referenced 01250 MS and dated July 2024 and there shall be no variation without prior consent in writing from the Local Planning Authority.

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

6. All proposed ground floor windows on the rear/south-east elevation as shown on the above drawings hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent and shall be fixed shut. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) those windows shall not be re-glazed with any transparent materials and shall not be enlarged or otherwise altered, nor shall any additional window or other opening be formed in that elevation 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 the adjoining residential property from overlooking or perceived overlooking.

7. All proposed rooflights on the rear/south-east elevation as shown on the above drawings hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent and shall be fixed shut. Notwithstanding the provisions of the Town and

Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) and those rooflights shall not be re-glazed with any transparent materials and shall not be enlarged or otherwise altered 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 the adjoining residential property from overlooking or perceived overlooking.

8. The hedge planting as shown on the drawings hereby approved shall be undertaken in the first available planting season following the commencement of development and 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.

9. All existing trees shown on the drawings hereby approved shall not be removed.

Reason:- In the interests of the appearance of the site.

10. The development hereby permitted shall be in accordance with the drainage plans for the disposal of foul and surface water flows under the 'Royal Oak Residential Drainage Strategy Report' Rev. E dated 11.12.2025 by Rennard Consulting Limited, the 'Soakaway Testing, The Royal Oak' dated 21 June 2024 by Sladen Associates, the 'GROUNDWATER AND GROUND GAS MONITORING' document by Sladen Associates and the 'Royal Oak Residential Development and Glamping Pods - Severn Trent Correspondents' Rev and the document dated 20.03.2026 from Rennard Consulting Limited. The scheme shall be implemented in accordance with the approved details. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

11. In the event that contamination including surface coal measures 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 commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed 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 prepared,

and is subject to the approval in writing of 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 produced and is subject to the approval in writing of 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.

12. Prior to bringing the development into first use, all soils (retained or imported) that are intended to be used for the proposed garden/ soft landscaping areas shall be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writing by the Local Planning Authority and shall include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed.

The results of the soil tests shall be submitted and approved in writing by the Local Planning Authority. If soil results indicates that a potential risk exists, development shall not commence until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared and subject to the approval 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.

13. The artificial lighting incorporated into this site in connection to this application shall be installed and directed so as to not increase the pre-existing illuminance or at the adjoining light sensitive locations when the light (s) is (are) in operation.

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

14. 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.

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

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 impact 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.

16. Development shall be in accordance with the site-specific scheme for protecting the proposed residential units from noise titled 'NOISE ASSESSMENT PROPOSED DWELLING Land to Rear of The Royal Oak High Street, Dilhorne ST10 2PE' by Martec Environmental Consultants Ltd referenced 20260507 9424 Dilhorne-2 and dated 7th May 2026.

Reason:- To protect occupiers from noise and safeguard their residential amenity.

17. The development hereby permitted shall not be brought into use until the parking and turning area for the proposed dwelling has been provided in accordance with the approved plans Drg. No.1250AL (0) 12. The parking and turning area shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:- To comply with NPPF; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

18. All intrusive investigation work carried out on site to establish the risks posed to the development by past coal mining and remediation works and/or mitigation measures to address land instability arising from coal mining legacy shall be completed in accordance with the Coal Mining Risk Assessment report by Sladen Associates referenced '23 2548' and dated February 2023 and the Report on Ground Investigation by Sladen Associates referenced '24 2548-4 and dated July 2024.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason:- To ensure the safety and stability of the proposed development.

19. Prior to the occupation of the development, a signed statement or declaration prepared by a suitably qualified person confirming that the site is, or has been made, safe and stable for the approved development, shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:- To ensure the safety and stability of the proposed development.

Informative

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraph 39 of the NPPF.
2. 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>
 - Any approved noise scheme and measurements should pay due regard to 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>
 - 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 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.

3. The recommendation from Severn Trent is made subject to the applicant obtaining any requisite approvals for the proposed sewer connection, including, where applicable, approval under a Section 106 Sewer Connection Application. Any such approvals should be secured prior to implementation of the drainage works.

Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Our records indicate that there are assets that may be affected by this proposal and as such the applicant must contact Severn Trent before any work takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your

proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

4. If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK.

X 

Signed by: Jane Colley Signature

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.