

Mr Swann  
Old Park Colliers Way  
Telford  
Shropshire  
TF3 4AW

Mr Colin Sutton  
Sutton & Wilkinsons Architects Ltd  
Victoria House 13 New Penkridge Road  
Cannock  
Staffordshire  
WS11 1HW

Mr Swann  
Old Park Colliers Way  
Telford  
Shropshire  
TF3 4AW

Application no: SMD/2014/0471

Determined on: 26/02/2015

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) England) Order 2010**

**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:**

Meadow Drive/Bank Street Cheadle Staffordshire ST10 1NR

**Description of Development:**

Redevelopment of redundant allotment land and buildings to affordable housing, consisting of 42 dwellings (30 new builds and conversion of 5-7 Bank Street into 12 flats). Demolition of redundant workshops.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:-**

To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2.The development hereby approved shall be carried out in accordance with the following submitted plans:

105-14-01 Rev B;  
105-14-02 Rev A;  
2263-100 Rev D;  
2263-101 Rev A;  
2263-102 Rev B;

2263-103 Rev A;  
2263-104;  
2263-105;  
2263-106;  
2263-107-Rev A;  
2263-108 Rev A;  
2263-109;  
2263-110 Rev A;  
2263-111 Rev A;  
2263-112 Rev A;  
2263-115-Rev C;  
2263-10 Rev A

**Reason:-**

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, C, D, E, F, G and H and Part 2 Class(es) A, B and C, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

**Reason:-**

To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of each of the dwellings.

4. None of the new build dwellings hereby approved shall be occupied until the refurbishment of 5-7 Bank Street (as identified on the above approved plans) has been completed in accordance with the Method Statement and details approved under condition number 5 and to a standard fit for occupation.

**Reason:-**

To ensure the restoration and enhancement of the Bank Street buildings, in the interests of enhancing the character and appearance of the conservation Area and the setting of nearby listed buildings.

5. Notwithstanding the above approved plans, no development apart from site clearance shall be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and retained for the lifetime of the development.

Facing materials including proposed brick, render and tiles;

- Details to eaves, verges, porches and chimneys;
- Rainwater goods and external soil pipes;
- Joinery details for all windows and doors, including cills, lintels, headers, glazing, putty fixing, method of opening, finish and the glazed arch (within the Bank Street

building) which should be recessed;

- Boundary details such as any walls, fences and railings;
- Vents, cowls and ducts;
- Method Statement and Schedule of repair for 5-7 Bank Street, including treatment of floors, internal and external walls (including pointing), basement, roof flues and pointing;
- Recording of basement including method and details of closing the doorway to the basement.
- External surfacing materials
- details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings;
- Details of proposed sheds;

**Reason:-**

In the interests of securing a high quality development that enhances the character and appearance of the Conservation Area and the setting on nearby listed buildings.

6. Notwithstanding approved drawing number 2263-115 REV C, details of frosted/obscure and non-opening glazing for the following windows/openings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved details, completed prior to first occupation of the apartments hereby approved and retained for the lifetime of the development;

- Apartment No. 06. Bedroom No.01, rear gable window as shown on Elevation No. 4,
- Apartment No. 08. Hall and Kitchen windows as shown on Elevation No. 2.
- Apartment No. 10. Bedroom No. 01 rear gable window as shown on Elevation No. 4,
- Apartment No. 12. Hall and Kitchen windows as shown on Elevation No. 02.

**Reason:-**

In the interests of neighbour amenity.

7. Notwithstanding the above approved plans, windows and doors within the retained building shall be repaired wherever possible (or accurately replicated) in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details, be completed before first occupation and be retained for the lifetime of the development

**Reason:-**

In the interests of securing a high quality development that enhances the character and appearance of the Conservation Area and the setting on nearby listed buildings.

8. The development hereby permitted shall not be commenced until details have been submitted to and approved in writing by the Local Planning Authority indicating all road construction, street lighting, drainage including longitudinal sections and a satisfactory means of draining roads to an acceptable outfall to SUDS principles which shall thereafter be constructed in accordance with the approved drawings prior to first occupation of the properties hereby approved.

**Reason:-**

In the interests of highway safety.

9. Notwithstanding the above approved plans and before the development is brought into use all access drives shall be constructed with drainage interceptors which shall be sited across the accesses immediately rear of the highway boundary, which shall be connected to Soakaway or other approved Surface Water Drainage System and be maintained in full operational order for the life of the development.

**Reason:-**

In the interests of highway safety.

10.1 Prior to the commencement of works on site, a Construction Method Statement and Access Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The statement shall be adhered to throughout the construction period and shall provide for:

- (i) The Routing of all site traffic.
- (ii) The Parking of vehicles of site operatives and visitors.
- (iii) The Loading and unloading of Plant and Materials.
- (iv) Storage of Plant and materials for the construction of the development.
- (v) Wheel Washing facilities.
- (vi) Measures to control the emission of dust and dirt during the construction.
- (vii) A scheme for recycling/disposal of waste and rubble resulting from demolition/construction works.

The plan shall thereafter be implemented as approved

**Reason:-**

In the interests of highway safety.

11. The development hereby permitted shall not be commenced until the detailed design of the following off site highway works, generally in line with approved drawing 2263-100D but to adoptable standards, have been submitted to and approved in writing by the Local Planning Authority:

- access off Bank Street to include adequate offsets from existing boundaries;
- revisions to Meadow Drive turning head including boundary details;
- emergency access from Meadow Drive to the proposed development;
- means to discourage/prevent through access from Meadow Drive to Bank Street and vice versa, including a method of screening/protecting number 10 Meadow Drive from vehicular headlights leaving the site.

**Reason:-**

In the interests of highway safety.

12. The off-site highway works shall thereafter be constructed in accordance with the approved details prior to the residential development being commenced.

**Reason:-**

In the interests of highway safety.

13. Before the proposed development is commenced, details of measures to secure the rectification of any damage to the highway during site construction works shall be submitted to and approved in writing by the Local Planning Authority. The rectification works shall be completed prior to first occupation of the development.

**Reason:-**

In the interests of highway safety.

14. 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.

**Reason:-**

In the interests of highway safety.

15. Notwithstanding any details shown on the approved plans no development shall be commenced until revised access details indicating the following have been submitted to and approved in writing by the Local Planning Authority:

- a minimum offset of 0.5m from the boundary wall of number 21 Bank Street.

The access shall thereafter be carried out in accordance with the approved details and be completed prior to first occupation.

**Reason:-**

In the interests of highway safety.

16. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless it has been demonstrated and accepted in writing by the Local Planning Authority that this is appropriate and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.

**Reason:-**

In the interests of protected species.

17. Before the commencement of development (including any demolition, site clearance and stripping) temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and shall be retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, 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 trees to be retained.

18. The planting plan shown on Brain Evans Landscape Design Studio Ltd Tree Plan Drg. No. 105-14-01 Rev B and Planting Plan Drg No. 105-14-02 Rev A, shall be fully implemented

before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees, shrubs and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

**Reason:-**

In the interests of visual amenity.

19. None of the dwellings hereby approved shall be occupied until the areas of incidental open space (identified on the approved plans to the side of plot 13 and to the front of plots 17 and 18) have been provided and laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Such details should include the future maintenance of the open space. The incidental open spaces shall thereafter be provided and maintained in accordance with the approved details for the lifetime of the development.

**Reason:-**

To ensure the provision and maintenance of incidental open space on the site in the interests of enhancing the appearance of the development.

20. Before on-site conversion work begins in relation to building 1A (part of the Bank Street building) as identified within the submitted Ecological Appraisal, Report No. P90.T109.14 (25th July 2014) a scheme of mitigation and compensation measures to include seasonal restrictions on timing of works and provision of bat roost sites within the development, drawn up in accordance with any requirements imposed under a licence from Natural England for work affecting European Protected species, shall be implemented and the details notified to the Local Planning Authority.

**Reason:-**

To ensure appropriate safeguard to the population of European Protected Species.

21. Prior to the commencement of development on site, a scheme detailing the form and locations within the development, of measures to provide for nesting Blackbirds, Robins, Wrens and Swifts shall be submitted to and approved in writing by the Local Planning Authority for approval and shall be implemented in accordance with the approved details prior to first occupation of the building. The development shall be retained for the lifetime of the development.

**Reason:-**

To ensure appropriate steps are incorporated to achieve sustainable development without loss to biodiversity.

22. Work on site affecting buildings other than 1A (part of the Bank Street building) as identified within the submitted Ecological Appraisal, Report No. P90.T109.14 (25th July 2014) shall be undertaken in accordance with the Working Method Statement contained at Appendix G to the submitted Ecological Appraisal (P90.T109.14).

**Reason:-**

To ensure appropriate safeguard to the population of European Protected Species.

23. Before any work is undertaken involving pruning or felling of tree T3 (Weeping Willow) the appropriate 'Reasonable Avoidance Measures' with respect to trees as set out in the submitted Ecological Appraisal (P90.T109.14) at page 31 shall be followed.

**Reason:-**

To ensure appropriate safeguard to the population of European Protected.

24. Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation (The Scheme) shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication and interpretation. The Scheme shall thereafter be implemented in full in accordance with the approved details.

**Reason:-**

In the interests of archaeology.

25. 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.

26. 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 should be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

27. 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 should not commence 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 prepared, and is subject to the approval in writing of the Local Planning Authority.

**Reason:-**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

28. 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.

**Reason:-**

To protect the amenities of the area.

29. Prior to the commencement of development on the site, an updated contamination site risk assessment shall be undertaken in accordance with a scheme to be agreed in writing by the Local Planning Authority, to assess the nature and extent of the contamination on the site. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority. If the updated site risk assessment confirms that potential risks exist, 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 is subject to the approval in writing by the Local Planning Authority. Prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:-**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

30. Development shall not commence until a scheme for protecting proposed residential units 15-22 and the apartments contained within 5-7 Bank Street from internal and external noise (as identified on the above approved plans) has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard 8233:2014 Guidance on Sound Insulation for Buildings, and be designed to achieve noise levels of less than 35 dB LAeq in bedrooms, less than 40 dBLAeq in living areas and less than 55 dB LAeq in outdoor living areas.

**Reason:-**

To protect occupiers from noise and safeguard their residential amenities

31. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing

by the Local Planning Authority. The scheme shall be implemented in full accordance with the approved details before the development is first brought into use.

**Reason:-**

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

**Informatives**

1.This permission shall be read in conjunction with the accompanying S106 document dated 26th February 2015 which secures affordable rented housing.

2.This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

3.The condition requiring off-site highway works shall require a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Information Pack and an application form for the Major Works Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))  
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

4.The confirmed presence of bats using building 1A means that before the proposed work can legally be  
gin a Protected Species Licence must be obtained from Natural England.

5.All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

6.The applicant / developer should refer to the Environment Agency's 'Groundwater Protection: Principles and Practice' (GP3) document, available from the website [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency). This sets out the Environment Agency's position on a wide range of activities and developments, including:

o Storage of pollutants and hazardous substances

- o Solid waste management
- o Discharge of liquid effluents into the ground (including site drainage)
- o Management of groundwater resources
- o Land contamination
- o Ground source heat pumps

All precaution must be taken to avoid discharges and spills to ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to guidance available on ([www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)).

7. 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 British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and 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 should 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 and with the procedural guidance relating to the contaminated land regime,

- 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.

---

**Signed 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 the Council's Building Control Section.
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. **A fee is payable to us for the discharge of condition. Please refer to our web site : [www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk) for details.** 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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. 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.