

Devine
The Huntsman The Green
Cheadle
Staffordshire
ST10 1XS

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Keiran and Connor Devine
The Huntsman
The Green
Cheadle
Staffordshire
ST10 1XS

Application no: SMD/2014/0742

Determined on: 24/03/2015

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:

The Huntsman The Green Cheadle Staffordshire ST10 1XS

Description of Development:

Erection of a two storey rear extension to provide an additional 10 guest rooms and alterations to the bar and kitchen area

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:

00330 PL(0)10 Rev A;
00330 PL(0)11 Rev A;
00330 PL(0)12 Rev A;
00330 PL(0)13 Rev A;
00330 PL(0)14 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.The development hereby permitted shall not be commenced until samples/details of the types and colours of all roof tiles, facing materials and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained for the lifetime of the development.

Reason:-

To ensure that the external appearance of the development is satisfactory.

4.Prior to first occupation of the development hereby approved, details of any proposed landscaping plans shall be submitted to and approved in writing by the Local Planning Authority. Details of the proposed planting shall be implemented before the end of the next available planting season following first occupation of the development hereby permitted.

Reason:-

In the interests of visual amenity.

5.The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:-

In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

6.No additional windows/door or other openings shall be inserted into the rear elevation as identified on above approved drawing number 00330 PL(0)13 Rev A.

Reason:-

In the interests of neighbour amenity.

7.Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the Local Planning Authority indicating a rationalisation of the vehicular accesses onto the car park such that the dropped crossings align with the internal vehicular route. The vehicular accesses shall thereafter be revised and reconstructed to align with the accesses in accordance with the approved details.

Reason:-

In the interests of highway safety

8.The development hereby permitted shall not be brought into use until those lengths of existing dropped crossing, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the rationalisation of the access crossings are permanently closed and the access crossing reinstated as footway with full height kerb.

Reason:-

In the interests of highway safety.

9.The development hereby permitted shall not be brought into use until the parking and turning area has been provided in accordance with the approved plans. The parking and turning area shall thereafter be retained unobstructed for the purposes of parking and turning of customer private vehicles for the life of the development.

Reason:-

In the interests of highway safety.

10.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.

11.The machinery, plant or equipment including air condition and ventilation systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.

Reason:-

To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

12.The design and construction criteria for development of the relevant buildings/premises shall have regard BS 8233:1999 (British Standard 8233:1999 Sound insulation and noise reduction for buildings - Code of Practice). The design criteria shall achieve sufficient noise reduction to ensure that the noise from the activities generated inside the fabric of the relevant buildings/premises shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.

Reason:-

To protect the local amenities from noise.

13.Prior to the commencement of development details of the ventilation and filtration equipment to suppress and disperse fumes and/or smell created from the operations on the

premises shall be submitted to and approved in writing by the Local Planning Authority. (Details to include outlet height). The equipment shall be installed in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use and shall be effectively operated and maintained in accordance with the manufacturers' instructions for as long as the proposed use continues.

Reason:-

To ensure that unsatisfactory cooking odours outside the premises are minimised, in the interest of the amenity of occupiers of nearby properties.

14. 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 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 exist 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.

15. 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 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.

16. 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 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.

17. Prior to the commencement of works on site, intrusive site investigation works of the ground conditions should be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings, (to ensure the safety and stability of the proposed development), the remedial works identified by the site investigation should be undertaken and completed in full prior to the commencement of any development.

Reason:-

In the interests of ensuring stability of land.

18. Prior to the commencement of works on site, joinery details of all windows and doors shall be 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.

Reason:-

In the interests of visual amenity.

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

2. The rationalisation of the dropped crossing(s) to the site shall be constructed in accordance with details to be submitted and with SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. 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)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

3. The existing dropped crossing(s) to the site made redundant by the rationalisation of the accesses shall be reinstated to footway in accordance with details to be submitted. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact 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)

4. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any

works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

5. Severn Trent Water advise that there is a public sewer located near to the application site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to 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 building. Please note, when submitting a Building Regulations application, the Building Control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 metres of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the Building Control officer to refuse Building Regulations approval. If you require any further information please contact Rhiannon Thomas on 01902 793883.

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

"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 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 and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.

"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 Councils 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 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. 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.