

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

13 December 2018

Application No:	SMD/2015/0701	
Location	Land at Eastern End of Mill Lane Wetley Rocks	
Proposal	Outline planning permission with all matters reserved (except access) for residential development comprising three dwellings.	
Applicant	Mr and Mrs S and M Scalise	
Agent	Mr R Ford	
Parish/ward	Cheddleton	Date registered 29/10/2015
If you have a question about this report please contact: Mrs L. Jackson tel: 01538 395400 ex 4125 lisa.jackson@staffsmoorlands.gov.uk		

REFERRAL

The application is brought before Planning Committee as one of the applicants (Mr Scalise) is an elected member of the District Council and a member of the Planning Applications Committee.

1. SUMMARY OF RECOMMENDATION

In the event of the awaited badger survey not raising any material planning objections that Committee Members delegate authority Operations Manager – Development Services approve the Outline planning application subject to the conditions and informatives detailed within Section 8 (of this report) and any conditions as may be required following receipt of the badger survey.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site is a parcel of open grassland positioned to at the eastern end of Mill Lane Wetley Rocks and to the southern side of the carriageway. Set behind a drystone wall the application site slopes in level from east to west, there is currently access through an agricultural style, double width gate. Grass verges, a timber bench and red telephone box lie between the site frontage and the carriageway. Opposite the site is the burial ground of St John's church. Near to the western boundary are Bramble House and an access road to the telephone exchange. The eastern boundary abuts the rear gardens of the 'Main Road' dwellings.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is an outline application with all matters reserved (except access) for the residential development of three dwellings. The applicant has submitted a plan to show two site accesses, one access to serve a single dwelling and the second to serve the remaining two properties and allow access to the field behind the development site. An illustrative plan also shows the possible layout of the three dwellings including their footprints, parking and external amenity spaces and the intention of hedge laying to the rear of the site to divide the residential properties off from the remaining section of the field.

3.2 The application is accompanied by a Design and Access Statement and a Preliminary Ecological Appraisal. The Planning Agent has informed officer's that a badger survey is to be submitted.

3.3 The application, the details attached to it, including plans, documents and consultation responses can be found on the council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=90994>

4. RELEVANT PLANNING HISTORY

86/00442/OLDDC Aged persons housing on two sites. Refused.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)

Staffordshire Moorlands Local Plan (1998)

5.2 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site allocations process.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

5.3 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6 Rural Areas
- SS6a Larger Villages Area Strategy
- SS6c Other Rural Areas Area Strategy

- SD1 Sustainable Use of Resources
- SD4 Pollution and Flood Risk.
- H1 New Housing Development
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- R1 Rural Diversification
- R2 Rural Housing
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

Supplementary Planning Guidance

1. Space About Dwellings.
2. Design Principles for Development in the Staffordshire Moorlands. New Dwellings and Extensions to Dwellings.

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide.

Local Plan Process

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the

process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public has now taken place in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question.
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies (including their weighting) are considered to be relevant to this application:

- SS1 Development Principles (Moderate)
- SS1a Presumption in Favour of Sustainable Development (Significant)
- SS4 Strategic Housing and Employment Land Supply (Limited)
- SS8 Larger Villages Areas Strategy (Limited)
- SS10 Other Rural Areas Strategy (Limited)
- SD1 Sustainable Use of Resources (Limited)
- SD4 Pollution and Water Quality (Significant)
- SD5 Flood Risk (Significant)
- H1 New Housing Development (Limited)
- DC1 Design Considerations (Moderate)
- DC2 The Historic Environment (Significant)
- DC3 Landscape and Settlement Setting (Significant)
- NE1 Biodiversity and Geological Resources (Moderate)
- T1 Development and Sustainable Transport (Moderate)
- T2 Other Sustainable Transport Measures (Moderate)

National Planning Policy Framework

Including sections;

- 1: Introduction.
- 2: Achieving sustainable development.
- 4: Decision-making.
- 5: delivering a sufficient supply of homes.
- 6: Building a strong, competitive economy.
- 9: Promoting sustainable transport.
- 11: Making effective use of land
- 12: Achieving well-designed places
- 13: Protecting Green Belt land.
- 15: Conserving and enhancing the natural environment.
- 16: Conserving and enhancing the historic environment.

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Neighbour Notification: Expiry date 22nd October 2018.
Site Notice: Expiry date 1st November 2018.

Cheddleton Parish Council: No representations received in response to the amended plans for three dwellings. The Parish Council did however comment on the application when six dwellings were proposed. The Parish objected to the application on the basis of Green Belt, access and highways issues and requested that the application be considered by the Planning Applications Committee.

Highways Officer (SCC): No objections to the application on highways grounds subject to conditions and informative notes to be added to the decision notice in the event that Outline planning permission is approved.

Regeneration Officer/Regeneration (SMDC): No representations received.

Environmental Health (SMDC): No objections subject to conditions and informatives / advisory notes.

Severn Trent Water: As the proposal has minimal impact on the public sewerage system there are no objections to the proposals and no drainage condition is required.

Conservation Officer (SMDC): The site is not near to any heritage asset. The Listed church is quite some distance down the road.

Ecology (SMDC): An up to date badger survey is required. The survey cannot be conditioned as a pre-commencement condition.

Operational Services (SMDC): No representations received.

Trees and Woodland officer (SMDC): No objections to the amended plans for three dwellings. No temporary tree protection conditions are necessary. Landscaping is a reserved matter but recommend that an informative is added to the decision notice (in the event of an approval) advising that a comprehensive and specified landscaping scheme would be required.

Coal Authority: The application site does not fall within the defined Development High Risk Area and is instead located within the defined Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the Local Planning Authority for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

Neighbour Notification

The original application submission sought Outline planning consent with all matters reserved (except access) for six residential dwellings. The publicity for the six dwelling application generated 13 objection letters and 2 support letters. The consultation comments are as follows;

Objections

- The site entrance has previously been refused as it was considered to be too dangerous;
- Volume of traffic will increase considerably around school start and finish times;
- No proposals to improve village infrastructure; there is no shop and school is oversubscribed;
- Visibility splay will reduce the amount of roadside parking on Mill Lane. Many residents of Main Road and The Bunting have nowhere else to park;
- 12 parking spaces is barely enough for the residents of the new houses;
- Affordable housing does not include 3 and 4 bed properties;
- Should develop brownfield sites first which are generally close to a good range of facilities;
- One more green field site which would be lost destroying the character of the village;
- Green Belt land should only be built on in exceptional circumstances;
- There will be an access into an adjacent field which will attract a further application for development;
- Housing has already been permitted on agricultural land in an area of Outstanding Natural Beauty;
- Concern over unrestricted development within the village;
- Incremental applications for housing;
- Is the development site where the proposed by-pass would be constructed?
- The Mill Lane and Main Road junction is already dangerous;
- School traffic – small children walking past the site twice a day;
- Congestion – eg utilities/deliveries;
- Mill Lane cannot accommodate increased traffic;
- Occupants of new properties will be able to see into neighbouring houses;
- Some houses have been on the market for over 12 months;

- Questionable content of the Ecology report;
- Not all residents are aware of the new plans;

Support

- The field is infill;
- Parking area will benefit the lane;
- People are unable to get on the housing ladder;
- Not building enough housing for future generations; need more housing;
- No known traffic incidents on this lane;

The application now seeks outline planning consent with all matters reserved (except access) for three dwellings. As a result of receiving the new information a second round of consultations has been undertaken. Four representations have been received with comments as follows;

Objections

- Great concerns over highway safety, adding more traffic to an already chaotic situation is madness;
- High volume of traffic, roads used by heavy vehicles mounting pavements,
- Mill Lane used as a rat-run;
- Mill Lane is more dangerous as the speed humps have been removed;
- Junction of Mill Lane and Main Road is dangerous;
- Access has already been refused for property at the corner of Mill Lane and Main Road.
- Mill Lane used by families walking to school and lollipop lady has been removed;
- No major building work should occur until Mill Lane and Main Road safety issues have been resolved;
- Congestion caused by construction vehicles;
- Where will residents who use this stretch of road park/not enough parking spaces for the residents of Wetley Rocks;
- Green Belt land should not be built on;
- Could be the start of excessive building in the village; will destroy the character of the village;
- Housing has already been permitted on agricultural land in the area which will continue to erode the feel of the area;
- How will dust be contained?;
- Noise in the village from traffic is horrendous;
- Noise pollution and mess on the site;
- Development will reduce the ecological diversity of the site;
- Development will increase waterlogging in the area;
- There are already vacant properties in the area;

7. OFFICER COMMENT, PLANNING BALANCE AND CONCLUSION

7.1 As with all applications, the Local Planning Authority is required to determine

this application in accordance with the Development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

- 7.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' in line with the National Planning Policy (herein referred to as the NPPF) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-
- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
 - II. Specific policies in within the NPPF indicate that development should be restricted.
- 7.3 It is acknowledged that the council cannot demonstrate a five year supply of deliverable housing land and as of 31st March 2018 the figure was 1.8 years.
- 7.4 Section 18 of the NPPF (2018) is relevant due to the site's Green Belt location. Paragraph 134 identifies the 5 purposes of the Green Belt. Paragraph 143 states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' Paragraph 144 identifies that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- 7.5 NPPF paragraph 145 specifies that the Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, exceptions being;
- Buildings for agriculture and forestry;
 - Provision of appropriate facilities for outdoor sport and recreation;
 - Extension/alteration of a building providing that there are no disproportionate extensions;
 - Replacement buildings (same use and not materially larger);
 - Limited infilling in villages;
 - Limited affordable housing for local community needs; and
 - Limited infilling or the partial/complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green belt than the existing development or not cause substantial harm to the openness of the Green Belt.
- 7.6 Core Strategy policy SS6a identifies Wetley Rocks as a larger village. Within larger villages the provision for the bulk of local housing need for rural areas will be met. SS6a further details that development on land outside the built-up

area will only be of a small and restricted scale and on sites which relate well to the built-up area. This is a green field site within the Green Belt; it is not technically within the identified development boundary of Wetley Rocks. The settlement boundary runs to the rear boundaries of the Main Road fronting dwellings. All of Mill Lane is within the Green Belt however it cannot really be argued that the site does not form part of the village; it is physically and visually connected. Although the site constitutes an undeveloped gap, its location means that is very much seen as forming part of the settlement given the close proximity to community facilities such as the church, school, village hall, Morrison's shop (including post office), filling station and public house. The proximity of surrounding residential properties further connects the application site with its village environment. The site is not within an unsustainable location and nor can it be described as remote.

- 7.7 It is clear that the scheme does not relate to the majority of the Green Belt exceptions as listed above within paragraph 7.5 of this report however as detailed within paragraph 7.6 above it is acknowledged that the application site could be classed as limited infilling within a village due to its physical links and visual relationship to surrounding development. The Core Strategy does not provide any definition of 'limited infilling' however the dictionary definition of limited includes phrasing such as 'restricted in size, amount, extent, few, small or short.' Infilling implies the development of a site that is between existing buildings and that is the case here. The application has been reduced in terms of its scale. An application which once proposed the erection of six dwellings in a cul-de-sac arrangement projecting further back into the field now proposes the erection of three dwellings, in linear form, within an infill plot and having similar curtilage sizes to the neighbouring detached dwellings. Whilst the application only seeks approval of matters of access the illustrative plan clearly shows that three dwellings could be accommodated on the site sitting within plot sizes akin to Bramble House and Inglenook to the west. It is also noted that the applicant has reduced the red edge outline bringing the rear boundary in line with the rear garden areas of Bramble House and Inglenook.

Highways

- 7.8 Approval of access is sought at this stage with the plans identifying two points of vehicular access off Mill Lane. The plan shows that one of the accesses would serve a single dwelling whilst the other would serve the remaining two dwellings as well as providing a link to the fields further to the south, behind the application site. The County Highways officer has visited the site upon receipt of the amended plans and raises no objections to the application subject to the imposition of conditions and informative notes. Recommended conditions include those relating to Reserved Matters details such as layout, parking/turning areas, surfacing materials, surface drainage, visibility splays and dropped kerbs. The County Highways officer has also requested the relocation of the telephone box and timber bench in the interests of securing adequate visibility splays and it is likely that third party consents would be required for this. The illustrative plan shows that the plots are large enough to

accommodate off road parking/turning and the indicative dwelling footprints show that there is space to accommodate garages if required.

- 7.9 It is noted that many of the letters of representation raise objections to the application in terms of traffic generation, highway safety and parking. Whilst the proposal would increase the number of vehicles using Mill Lane it is not considered that the usage increase associated with three dwellings would be so significant so as to justify refusal of the application. The loss of on street parking has been raised as an objection but again County Highways have not objected to the scheme. It is noted that only one additional access would be created and therefore some on street parking would remain. Paragraph 109 (NPPF) clearly states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' As the County Highways officer has not raised any objections to the development it is not considered that these matters would constitute a sound objection or defence at appeal. Parking can be provided for within the application site (as is evidenced by the illustrative plan). For the above reasons it is considered that the proposal is acceptable on highway safety grounds and would not have an adverse impact on the surrounding road network.

Amenity (including contamination, noise and nuisance)

- 7.10 The council's Environmental Health (E.H) officers have not raised any objections to the residential development of this site and confirm that there are no historic contaminative uses. Nevertheless E.H officers recognise that the site has been open and may have been subject to historic accumulations of unknown material, an unexpected contamination condition is recommended as a precaution. It is acknowledged that there is no information in regards to noise impacts from the main highway running through Wetley Rocks, the 'Main Road' or from any telephone exchange operations, as such a sound insulation condition is recommended. The proposed development is close to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause unreasonable disruption to the neighbour's enjoyment of their properties, this can also be controlled by a suitably worded condition.
- 7.11 The amenity of existing and future residents is a material planning consideration. Although the application is in Outline form only the illustrative layout plan clearly demonstrates that three dwellings could be accommodated within the site which can provide satisfactory amenity standards in accordance with the Space About Dwellings SPG. Not only do the plans show that the required external amenity spaces can be achieved, they also show that the dwellings could be built following a similar building line to the adjacent Mill Lane development and arranged in such a way as to prevent any overlooking of principal windows (either within the new build dwellings or existing surrounding development). The finer layout and design (including materials) details are matters which are reserved for later consideration.

Drainage

- 7.12 The application form confirms that foul sewage would be disposed of by a mains sewer. Severn Trent Water states there are no objections to the application as well as confirming they have no requirement for any drainage conditions.

Trees, Ecology, Landscape and Visual Impact (including Heritage).

- 7.13 The application site currently consists of an undeveloped parcel of agricultural land; there are no protected trees on the site and therefore no temporary tree protection conditions would be necessary. The council's Arboricultural officer has assessed the scheme commenting that the revised plan for three dwellings is more advantageous over the six dwelling scheme in terms of offering landscaping potential and securing a better relationship with the retained open field to the south (beyond the red edge boundary). New hedgerows and trees along the rear boundary would be appropriate. Whilst it is recognised that landscaping would be reserved for later consideration the Arboricultural officer requests that in the event of Outline consent being approved, an informative note should be added to the decision to inform the applicant/developer that a fully comprehensive and specified landscaping scheme would be required for any reserved matters landscaping application and that this would be expected to include provision for new mixed native species hedgerow planting (including informally grouped and/or individual standard hedgerow trees) to rear garden boundaries and should include full details of positions, species, numbers/densities/planting pattern and planting sizes of all new trees and shrubs. The two vehicular access points are central between existing mature Birch trees within the Mill Lane highway verge but would be well outside of their root protection zones.
- 7.14 The application was originally submitted with a Preliminary Ecological Appraisal and the council's Ecology advisor confirmed that there was no fundamental obstacle to the development in terms of ecology or protected species. The main characteristic of the site is grassland and it was noted that the survey showed it had no special ecological status; its loss to development was therefore acceptable without habitat compensation. The Ecologist requested a number of conditions including details of bird nesting boxes. It was originally commented that badgers were not currently a constraint to the site but that they can colonise quite quickly and for this reason it was recommended that a further survey for badger activity on the site should take place within 12 months prior to any site work commencing. Following receipt of the revised plans (three dwellings) the updated ecology comments clarify that an up-to-date badger survey is required. At the time of writing this report applicant is in the process of obtaining an up-to-date badger survey.
- 7.15 The location of the application site means that the proposed development will undoubtedly have a prominent visual impact upon its surroundings, the development being visible from Main Road, Mill Lane and nearby residential

properties. Although in Outline form only the applicant is seeking consent for three dwellings. The application is not prescriptive in terms of the sizes of the dwellings but the Design and Access Statement does indicate that two-storey properties are sought. Specific designs (including materials) would be considered at Reserved Matters stage but it is possible to consider how a small two-storey development might fit into this area. The land levels within the site vary, sloping from the eastern boundary towards the west so views from Main Road would be at a higher level and the development would not appear overly dominant from it. The Main Road fronting dwellings are at a higher level and vary in terms of their sizes, designs and building materials. Any new dwellings built on the application site would be seen in the context of the Main Road dwellings near the Mill Lane junction as well as the two detached dwellings further along Mill Lane known as Bramble House and Inglenook. Visually there is no uniformity to the design/appearances of the dwellings within the vicinity of the application site however the general character is that of two-storey houses; this is generally in-keeping with the proposal but details would have to be considered at a later date. The illustrative plans show that the three dwellings could continue the Mill Lane building line and that the proposed plots would be of a similar size to Bramble House and Inglenook. A visual break (albeit smaller than at present) between the Main Road properties and those within the proposed development site would be retained due to the sizeable rear garden area belonging to number 31 Main Road. There would also be some breathability and circulation space between each of the three dwellings, in particular the two dwellings which would be positioned to either side of the shared access (leading to the field). There is no reason to believe that a Reserved Matters application could not satisfactorily secure a development which would be in keeping with its surroundings and for these reasons there are no objections to the scheme in terms of landscape or visual impact.

- 7.16 The site does not contain any Listed Buildings. The nearest Listed Building is St. John's Church (Grade II Listed) further along Mill Lane towards the west. The scheme does not raise any heritage impact concerns due to the separation distance, topography, trees and intervening road between the site and the church.

Coal

- 7.17 The application site is not located within a High Risk Development area. Nevertheless the Coal Authority have been consulted on the plans and they have not raised any objection to the plans.

Planning Balance

- 7.18 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is concluded that the application site can be considered as an infill plot, linked visually and physically to its village setting. The NPPF is a material consideration of weight in the determination of this application; setting out the presumption in favour of sustainable development. It is recognized that the

council cannot demonstrate a 5-year supply of deliverable housing land and this application would provide a small albeit valuable contribution to the significant shortfall. Approval of the application would deliver economic benefits through the construction of the dwellings. The site is within a sustainable location and within easy reach of a range of services (as detailed within paragraph 7.6 above). The report has highlighted that there are no highways, amenity, drainage, trees, ecology, landscape/visual impact or coal related objections and therefore conditional approval is recommended.

8. RECOMMENDATION

A. That in the event of the badger survey not raising any material planning objections that Committee Members delegate authority to the Operations Manager – Development Services to approve the Outline planning application subject to the following conditions and any conditions as may be required as a result of the badger survey outcome;

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: - To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called "the reserved matters") before any development is commenced.

- a)-The siting of the building(s)
- b)-The design of the building(s)
- c)-The external appearance of the building(s)
- d)-The landscaping of the site

Reason:- Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Articles 4 and 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority 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.

4. The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

RMW 01A (Site Location);
RMW 02A (Site Plan as Existing);
RMW 03B (Indicative Site Plan as Proposed – Revised).

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

5. No permission is hereby given for the layout and siting of the dwellings as shown on drawing number RMW 03B.

Reason:- The application is in Outline form only with all matters (except access) reserved for later consideration. The layout and siting of the dwellings shown on drawing number RMW 03B is indicative only.

6. No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Layout and disposition of buildings;
- Provision of parking, turning and servicing within the site curtilage;
- Means of surface water drainage;
- Surfacing materials;

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development.

Reason: - In the interests of highway safety and planning policy compliance.

7. The development hereby permitted shall not be commenced until details of the 2.4mx43m visibility splays have 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 over a height of 600 mm 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 and planning policy compliance.

8. Before the proposed development is commenced, details shall be first submitted to and approved in writing by the Local Planning Authority indicating:

- relocation of the existing telephone box to outside of the proposed visibility splay;
- relocation of the existing bench to outside the proposed visibility splay;
- detailed layout demonstrating absolute minimum offset of 450mm from edge of access to the existing - or relocation of the lighting column;

which shall thereafter be completed in accordance with the approved plans prior to the first occupation the dwellings hereby approved..

Reason: - In the interests of highway safety and planning policy compliance.

9. The development hereby permitted shall not be brought into use until details of the reinstatement of that part (if any) of the existing site access with full height kerb, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in writing by the Local Planning Authority. That part of the existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height kerb in accordance with the approved plans.

Reason: - To avoid a proliferation of redundant and over long accesses and in the interests of highway safety and planning policy compliance.

10. The development hereby permitted shall not be brought into use until the accesses to the plots within the limits of the public highway have been completed/widened as dropped crossings of the footway, without radius kerbs.

Reason: - In the interests of highway safety and planning policy compliance.

11. 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 to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed levels details and 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.

12. No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- II. the arrangements for prior notification to the occupiers of potentially affected properties;
- III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- IV. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;

- V. a scheme for recycling/disposal of waste resulting from the construction works;
- VI. the parking of vehicles of site operatives and visitors;
- VII. the loading and unloading of plant and materials;
- VIII. the storage of plant and materials used in constructing the development;
- IX. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- X. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason:- To protect the amenities of the area.

- 13.** Development shall not commence until a site specific scheme for protecting the proposed residential units from noise, has been submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

The submitted scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and 55dB LAeq in outside living areas.

A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority or its approval.

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

- 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 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 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 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.

- 15.** No 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 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.

- 16.** 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.

- 17.** Prior to first occupation of the dwellings hereby approved details of nest boxes to be incorporated into each plot of the development in accordance with the recommendations of paragraph 4.8 of the submitted Preliminary Ecological Appraisal by Apex Ecology (dated October 2015) shall be submitted to and approved in writing by the Local Planning Authority. The nest boxes shall be constructed prior to first occupation of the development hereby approved and retained for the lifetime of the development.

Reason:- In the interests of habitat creation.

Informative Notes

1. The application has been assessed against adopted Development Plan policies (including paragraph 38 of the National Planning Policy Framework – July 2018) and any other material considerations. The proposed development is considered to comply with all relevant planning policies and accordingly is considered to constitute a sustainable form of development.
2. The dropped crossing to the site shall be constructed (new access)/reconstructed (part existing access) as appropriate in accordance with drawings to be submitted. 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 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. That part of the existing dropped crossing to the site (if any) shall be reinstated to grass verge and 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)

The relocation of the (redundant) telephone box and bench will also require permit to dig.

4. Should the lighting column in the access need to be relocated, this will need to be done by SCC PFI contractor Eon. Please contact lightingforstaffordshire@eonenergy.com or highways@staffordshire.gov.uk or 0300 111 8000 as soon as possible before works commence to ensure works can be programmed. This will be at the developers expense and extent of works should be established at an early stage.
5. The applicant/developer is advised that a fully comprehensive and specified landscaping scheme will be required for future Reserved Matters application. The landscaping scheme will be expected to include provision for new mixed native species hedgerow planting (including informally grouped and/or individual standard hedgerow trees) to rear garden boundaries and should include full details of positions, species, numbers/densities/planting pattern and planting sizes of all new trees and shrubs.
6. 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.
7. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is

trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com. If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

8. This Permission does not confer on the Applicant the right to build on or over land owned by a third party without the third party's consent. You should therefore seek the prior agreement of your neighbour(s) before entering their land.
9. Any approved noise scheme and measurements should pay due regard to ProPG: Planning and Noise – New Residential Development, British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.
10. Prior to operations commencing on site, the Pollution Control or Environmental Health Department of the local authority in whose area the mobile plant is operating and Staffordshire Moorlands District Council, should be informed of:
 - a. The location and dates when the mobile plant is expected to start operating, and,
 - b. the serial numbers of the mobile plant involved.

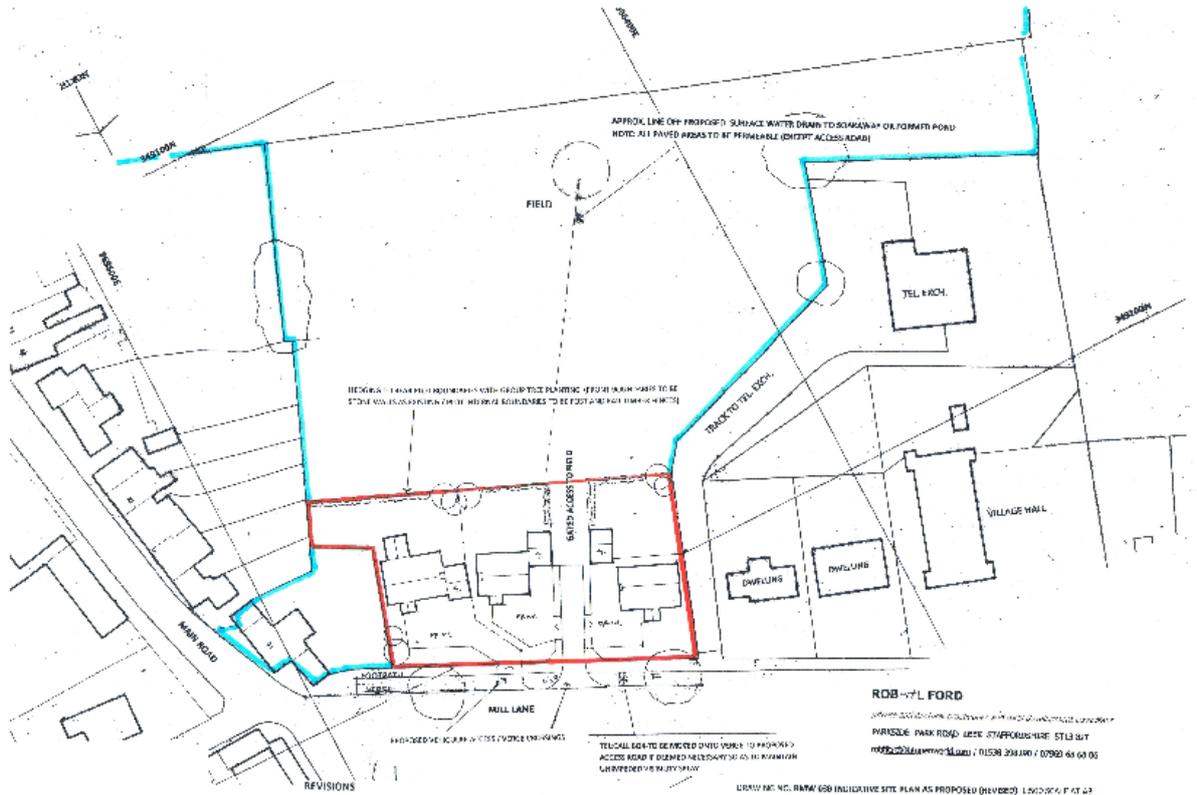
Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download <http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf>

11. 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.
12. 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)
13. 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.

B. In the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Executive Director (Place) has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee’s Decision.



1 METRE X 25 METRES AT 1:250 SCALE

REVISIONS

TELECALLS TO BE MADE INTO WORK TO PROPOSED ACCESS ROAD TO BE MADE ACCESSIBLE TO ALL ROADWAYS UNLESS OTHERWISE STATED

DRAWING NO. RMA/GB INDICATIVE SITE PLAN AS PROPOSED (REVISED) 1/20/2015 P. 01 OF 01
PROPOSED RESIDENTIAL DEVELOPMENT AT THE EASTERN END OF MILL LANE WITH 17Y RICKS STAFFORDSHIRE ST 021