

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

22 October 2020

Application No:	SMD/2020/0365	
Location	Land at Cheddleton Park Avenue, Cheddleton	
Proposal	Erection of three detached dwellings and associated works	
Applicant	Moorlands Homes (Cheadle) Ltd	
Agent	Rob Duncan Planning Consultancy Ltd	
Parish/ward	Cheddleton	Date registered 9 th July 2020
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffsmoorlands.gov.uk		

REFERRAL

This is locally contentious and the previous application was determined by the Planning Applications Committee

1. SUMMARY OF RECOMMENDATION

APPROVE with conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDING

2.1 This site lies within the village of Cheddleton. It forms part of a much larger field of open farmland. With the exception of the eastern boundary of the site which abuts existing residential development on Cheddleton Park Avenue, the remaining three boundaries are undefined. The land is on a valley side so that within the site itself levels rise to the east and south in the vicinity of plots 1 and 2 initially gently but becoming more pronounced towards the site boundary. Conversely levels fall within plot 3 northwards. (see Site plan) There is a distinctive mound (thought to be spoil) to the northwest which is partly within the application site and shown to be retained. To the north, but some distance away is the Cauldon Canal which is within the Conservation Area. There are no trees on the site. There is evidence of informal footpaths crossing the site. A public footpath runs in a west – east direction to the north of the site and on much lower ground. To the south west of the site is a Grade II Listed farmhouse and separately Listed barn known as Grange Farm.

3. DESCRIPTION OF THE PROPOSAL

3.1 This application is a resubmission of SMD/2018/0174 which was for 8 dwellings on a larger site but including the current application site. It was refused and subsequently dismissed on appeal. The Inspector agreed with the Council that the development would cause harm to the character and appearance of the area including the setting of nearby Listed buildings at Grange Farm. He also agreed that there would be harm to biodiversity, including protected species. However, the Inspector did not find harm to either the Cheddleton or Cauldon Canal Conservation Areas.

3.2 This application seeks to address the reasons for the dismissed appeal. Fundamentally the application site has been reduced in size so that it no longer extends significantly westwards into rising ground. The number of dwellings has correspondingly been reduced from eight to three. A Heritage Impact Assessment, Reptile survey, Great Crested Newt survey and a Planning Statement accompany the application. The applicant has confirmed that there is no intention for spoil to be taken off site; it will be retained on site. He also confirms that the soakaways will be within the plots themselves, not off site

3.3 During the processing of the application an amended application form was received including a Certificate B confirming that the requisite Notice had been served on all owners of the land

3.4 Full planning permission is sought for three detached dwellings as detailed below. It also includes a hard surfaced (tegula pavements) field access to the larger field beyond.

Plot 1 Ridge height of approx. 8.2 m, eaves height 5 m and dimensions of approx. 12 m by 8 m. It has a double internal garage, four bedrooms at first floor with a study and playroom in at second floor level served by three velux roof lights.

Plot 2 Ridge height of approx. 8.2 m and dimensions of approx. 10.4 m by 8.8 m. It has a single integral garage, 4 bedrooms (one labelled as a study) on the first floor with a bedroom and bathroom at second floor level served by three velux roof lights

Plot 3 Ridge height of approx. 8.2 m and dimensions of approx. 9 m by 8.5 m. It has a single integral garage, 4 bedrooms on the first floor with a playroom and study at second floor level served by three velux roof lights

Each property has a private drive capable of accommodating at least 2 cars. The Site Plan shows a landscaping band varying in width but as its narrowest 4 m in width surrounding the application site boundary. This is shown fenced off from the gardens by post and rail fencing. The plans indicate tree planting within this area. Beyond this area and along the actual boundary of the site a mixed native species hedgerow is proposed.

4. RELEVANT PLANNING HISTORY

SMD/2018/0174 - Outline application with means of access for residential development of up to 8 dwellings. Refused. Dismissed on appeal

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan is the Staffordshire Moorlands Local Plan which was adopted in September 2020. The main policies of relevance to the determination of this application are as follows:-

Policy SS1	Development Principles
Policy SS8	Larger village strategy
Policy H1	New housing development
Policy DC1	Design considerations
Policy DC2	The Historic Environment
Policy NE1	Biodiversity and Geological resources
Policy NE2	Trees, Woodland and Hedges
Policy T1	Development and Sustainable Transport

6. CONSULTATIONS CARRIED OUT

Site Notice expiry date: 8th August 2020
Local residents have been notified by letter.

23 households have objected to the application raising the following main points:-

- Increased traffic, Cheddleton Park Avenue is not suitable
- This land is unsuitable to build on
- There are lots of houses for sale in Cheddleton. Affordable housing is needed not large houses like this
- The access to the site is poor – over a bridge and a narrow road
- Will lead to congestion
- Loss of sunlight and view
- Road narrows near the site so will be difficult for the emergency services
- Developer has included land he doesn't own
- The benefit to the economy or housing supply will be very limited from three dwellings
- Cheddleton has few facilities
- Houses will be much higher than the end ones on Cheddleton Park Avenue
- Development will cause harm to the setting of Listed buildings and the Conservation Area
- The layout is clearly designed to add more development in the future
- Development has already been refused on appeal. Reducing the number to 3 does not address the issues
- Drainage problems in the area
- Development will be intrusive and not in keeping with the landscape
- Loss of property value
- Cheddleton is already over developed
- My field to the north contains significant amounts of Severn Trent Water ("STW") infrastructure, access to which can only practicably be made across the field abutting mine from Cheddleton Park Avenue. Whilst access to the adjacent field is maintained between the proposed houses, it appears significantly narrower than that currently available and it is far from clear that STW will be able to access its infrastructure with the type of machinery required to maintain it. STW appears to have overlooked the presence of its own infrastructure nearby and the suitability of future access to it. I am aware of several instances in recent years where heavy machinery access has been required to this infrastructure;
- The proposed application, if granted and undertaken, will effectively close the last possibility of vehicular access to my field to the north rendering impossible any future development and accordingly its visual amenity will only worsen;
- My field to the north?? and the one immediately to its south comprise the only remaining area of any significance within the Cheddleton village boundary capable of making a contribution, however small, to the pressing need for housing, and in particular affordable housing, within the Staffordshire Moorlands District. Any other sites would need to encroach on Green Belt, Open Space or Local Green Space which I think all would agree to be deeply regrettable and therefore to be avoided.
- . Housing provision is of course not the only use to which my field could be put. For example, its extensive canal frontage might permit the development of a community

resource of some description. Whatever the use, it is imperative that it is not 'cut-off' as this or any other type of development will become impossible.

- It is far from clear that the applicant has the financial wherewithal to undertake this development if permission is granted.
 - The development doesn't provide effective and efficient use of land and is contrary to policies for the supply of housing land

Parish Council

The Parish Council resolved to accept this planning application with the addition of a clause under the NPPF guidelines that the development would be consistent with the prevailing height of neighbouring properties. This follows concerns that the drawings appear to show the roof heights similar to the existing housing stock, however measurements taken from within the field show if the builders are only digging out 1m in depth and the land rises 6m above the avenue, the houses would therefore be much higher than the existing houses.

Environmental Health Officer

No objection subject to conditions

Trees and Woodland Officer

Comments awaited

Local Highway Authority

No objection subject to conditions

Conservation Officer

No objection. Advises that the revised proposal is for three units which will be sited within the bowl, with Plot 1 & 2 only dug in a small amount and the high ground will wrap around them. The plot alignment follows the existing street pattern, and the properties are not disproportionately big or of different design. With careful landscaping there is the opportunity to create a softer transition between the linear development and fields beyond. Subject to conditions requiring matching materials and detailing, and careful treatment of the farm access so that it does not look like a terminated urban road, there will be no harm to the setting of heritage assets.

Staffordshire Wildlife Trust

Holding objection requesting information on any cut and fill and location of soakaways (subsequently confirmed by the Agent no export of fill off site and all soakaways within plot curtilages, not off site). Also requested grassland survey and Biodiversity impact assessment. Initially suggested this should be carried out prior to decision but following a further site visit considers that there is sufficient space off-site in the applicants ownership to create a habitat enhancement area

Severn Trent Water

As the proposal has minimal impact on the public sewerage system advise that have no objections to the proposals and do not require a drainage condition to be applied.

Canals and River Trust

No comment to make

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 As with all applications, the LPA 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 Since the adoption of the new Staffordshire Moorlands Local Plan the Council can demonstrate a 5 year supply of housing. As such the “tilted balance” no longer applies and the application should be determined in accordance with the policies of the new local plan unless material considerations indicated otherwise.

Principle

7.3 This site lies within the development boundary of Cheddleton which is identified as a Larger Village in the Local Plan. Support in principle for housing in such locations is provided in Policy SS8 which confirms that such villages will retain their role as rural service centres providing for the bulk of the local housing needs of the rural areas. As such there is no objection in principle to housing on this site. The main issues to consider include access, impact on the character and appearance of the area including nearby Listed buildings, design and biodiversity. These matters are considered under sub headings below:-

Access

7.4 Access was not raised as a reason for refusal in the previous scheme of 8 units. As in that application, access is to be taken from the end of Cheddleton Park Avenue. The plans show an access of approx. 3.6 m in width leading through the site to the adjacent field with individual drives to the three properties taken from it. The access and individual drives are shown to be surfaced in grey tegular pavements. All the plots have at least 3 parking spaces, a mix of garage and parking spaces. This is acceptable.

7.5 Many of the letters of representation express concern that Cheddleton Park Avenue and Basford Bridge Lane are not suitable to take more traffic. The Local Highway Authority has considered the plans and raises no objection to the application. They note that visibility at the junction with Basford Bridge Lane is good with no recorded injury accidents. They advise that Cheddleton Park Avenue serves over 100 dwellings and that an additional three dwellings will not have a severe effect on the highway. Access is safe and reasonable for all users. A number of conditions are recommended including a Construction Method Statement given the fact that the site is at the end of a residential cul de sac and that a wheel washing facility and the availability of a road sweeper will be necessary to keep the road clean during construction.

7.6 Concern has also been expressed in letters of representation that the layout and particularly the proposal for an agricultural access leading through the site to the larger field beyond is simply indicative that this is just the first stage of development and that other applications will follow once permission has been granted. Members know that it is an established planning principle that all applications must be determined on their merit. The applicant's agent has confirmed that there is legal right of access to the land beyond the application site that needs to be preserved, as set out in both the title deeds, and the contractual agreement between the applicant and the land owner. He further advises that whilst there is another access to the land off the Cheddle Road, this is very narrow and unsuitable for agricultural vehicles but in any event the applicant is legally obliged to maintain a right of vehicular access to the land beyond.

7.7 Having said all of the above, from a design point of view the requirement for the agricultural access is unfortunate. It is though approx. 3.6 m in width and as such considered commensurate with its stated purpose of providing a route for agricultural vehicles to the field. During the processing of the application the applicant has agreed to bring forward the field gate (a five bar timber gate) to just beyond the drive to Plot 3. This reduces the length of hard surfaced access, returning this stretch to the field. It is an improvement and goes some way

to addressing the Conservation Officer's concern that the access should be carefully treated so that it does not look like a terminated urban road

7.8 For all of these reasons there is no objection to the proposed access and with conditions in place as advised by the LHA and with a condition to ensure the garages are retained for the parking of vehicles only, there is compliance with Policies DC1 and T1 of the Local Plan.

Character and appearance of the area including the setting of nearby Listed buildings

7.9 In the dismissed appeal (referred to above) the Inspector found harm to the character and appearance of the area including the setting of the nearby Grade II Listed farmhouse, The Grange and a Grade II Listed barn to the east of the farmhouse. The applicant has sought to address this in the current application.

7.10 Unlike the previous application which related to a larger site, development is more contained and in the main restricted to the lower ground levels and screened by higher ground to the south and west including the 'mound'. The Sections provided show that the plots work with existing levels as far as possible. There is some cut and fill (Plots 1 and 2) and raising of levels (plot 3) but as described below the finished dwellings will sit comfortably alongside existing development with no material increase in height. Some retaining walls (1.4 m in height approx.) are shown at the rear of Plots 1 and 2 containing patios. The gardens rise beyond following existing land levels. No retaining wall is shown for Plot 3 with raised ground sloping gently at the rear and tying in with existing ground levels. A belt of tree planting is also proposed around the entire site with a native hedge on the boundary. For these reasons it is considered that the proposal would sit appropriately in context and have an acceptable landscape impact.

7.11 In terms of the specific impact on the setting of heritage assets, the applicant has provided a Heritage Impact Assessment (HIA). This has assessed the impact of the proposal on the Cheddleton and Cauldon Canal Conservation Areas and found there to be no harm. The Inspector in the previous appeal considered this to be the case even for the larger scheme of eight dwellings. In terms of the impact on the Grade II Listed farmhouse, The Grange and the Listed barn to the east, the HIA concludes that there is no invisibility between these heritage assets and the application site and that there is very limited co-visibility between the application site and the Listed buildings. It says that where they are visible in the same panorama, they are significantly detached, and the setting of Grange Farm is not affected in some discernible way by the proposed development. It concludes that the impacts are neutral and that there is no need, therefore, to identify mitigation.

7.12 The Conservation Officer has considered the application and the submitted HIA. She agrees with the HIA and advises that there will be no harm to the setting of heritage assets subject to conditions requiring matching materials and detailing and careful treatment of the farm access so that it doesn't look like a terminated urban road – see discussion above. She says that the three units will be sited so that higher ground will wrap around them. She is satisfied that the plot alignment follows the existing street pattern and that the properties are not disproportionately big or of different design. She says that with careful landscaping there is the opportunity to create a softer transition between the linear development and fields beyond.

7.13 For these reasons it is considered that the reason for refusal of the dismissed appeal relating to harm to the character and appearance of the area including the setting of the nearby Listed buildings has been addressed and that subject to conditions relating to detailing of the dwellings and landscaping there is compliance with Policies DC2 and DC 3 and the NPPF.

Biodiversity

7.14 In the previous appeal the Inspector concluded that on the evidence before him a development of the scale and nature proposed had the potential to cause significant harm to biodiversity and particularly to Great Crested Newts and Reptiles, both protected species. This application seeks to address these matters. It is supported by a Reptile survey and Great Crested Newt survey.

7.15 The Reptile survey was conducted during May 2020 which the report notes are a optimal survey timing. No reptiles were found to be present during the survey. The report makes several recommendations including the adoption a precautionary approach during construction and biodiversity enhancement through the creation of reptile and amphibian Refugia such as habitat piles.

7.16 The Great Crested Newt Report dated June 2020 is a follow-up from a Preliminary Ecological Appraisal conducted February 2018 and 2019. The 2020 presence/absence surveys on a pond 180m to the south west of the site confirmed the presence of a small population of GCN and because of this a Licence will be required.

7.17 Staffordshire Wildlife Trust are retained by the Council to advise on matters of biodiversity. They have considered the application and supporting reports and advise that based on the survey findings, an Amphibian/ Reptile Mitigation Plan should be secured if planning permission is granted to protect species during construction and provide for biodiversity enhancement. In respect of habitats, they comment that the grassland could have some diversity and potentially qualify as a priority habitat, lowland meadow. The proposals would involve the loss of this habitat. Although proposed hedge and tree planting would be of some biodiversity value, they say that it is not clear whether a net gain would be achieved. A habitat survey to determine the value of the grassland, and a Biodiversity Impact Assessment using Defra metric 2.0 is required, to assess the net impact and whether the proposals are appropriate and/or any deficit can be offset elsewhere. Given that the applicant does own adjacent land where mitigation can be achieved it is considered that this matter can be conditioned.

7.18 For these reasons it is considered that the reason for refusal of the dismissed appeal relating to harm to protected species has been addressed and that subject to conditions to secure appropriate mitigation and secure a net gain in biodiversity there is compliance with Policy NE1 of the Local Plan and the NPPF

Design

7.19 During pre-application discussions the applicant was advised to position the dwellings so that they 'rounded off' development at the head of Cheddleton Park Avenue. It is considered that the submitted plans achieve this as far as possible whilst maintaining a right of access to the adjoining field. Plot 2 helps to punctuate the view when travelling west along Cheddleton Park Avenue with Plots 1 and 3 flanking either side. The plans show that the plots work with existing levels as far as possible with finished floor levels (ffl) of 155.80 m for Plot 1 reducing to 154.50 for Plot 3. This compares favourably with the ffl of 154.20 for No 84 Cheddleton Park Avenue and 155.33 for No 75. The overall heights of the dwellings will be slightly higher than the adjacent ones on Cheddleton Park Avenue but not by any material or unacceptable degree. The Site Plan and Sections show how the dwellings will sit in context. The Councils Space about dwellings are met with no undue loss of amenity anticipated for either existing or proposed users. Layout is acceptable.

7.20 In terms of appearance, the large detached dwellings follow the form of existing dwellings on Cheddleton Park Avenue. The materials of red brick walls (Ibstock Birtly Old English) and Grey twin interlocking concrete tiles (Gemini Forticrete) are acceptable in this location. Windows and doors are uPVC with reconstituted heads and cills. Although the initial plans indicated upvc fascia boards, it was put to the applicant that this was not acceptable and that

a brick eaves and verge detail would be required. This has been agreed and amended plans received. The appearance of the dwellings is acceptable. In terms of scale the dwellings are all two storey, approx. 8.2 m in height. This is similar to existing dwellings on Cheddleton Park Avenue. The scale is acceptable.

7.21 For the above reasons and with conditions to secure material and detailing, the proposal is considered to accord with Policy DC1 of Local Plan and the NPPF which says that all development shall be well designed and be designed to respect the site and its surroundings.

Landscaping Impact on trees

7.22 During pre-application discussions the importance was stressed of providing substantial planting along the boundaries and within the site to soften the development and provide a natural and 'green' edge/finish to the development. The Conservation Officer also refers to the importance of this – see her response above. The Trees and Woodland Officers comments are awaited and will be reported to the meeting

7.23 Given the importance of boundary landscaping to the acceptability of this proposal in terms of the character and appearance of the area including the setting of nearby Listed buildings, it is recommended that a condition be imposed requiring that the boundary tree planting and hedge planting outside of plot curtilages be carried out during the first planting season following commencement of development to enable it to become established and provide the necessary 'greening' effect as soon as possible.

Environmental health issues

7.24 The Environmental Health Officer has no objection to the application. However he advises that as the proposed development is close to existing properties 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. In addition and as the development overlooks an industrial estate and the boundary of plot 3 is approximately 150m at the closest point to the boundary of LM Bateman (metal fabrication factory), he advises that prior to any development commencing an acoustic assessment is conducted and based on the findings an appropriate scheme for sound insulation submitted for approval to ensure that construction will achieve the criteria sound levels set out in BS8233:2014.

7.25 With conditions in place to secure these matters there is compliance with relevant parts of SD4 and DC 1 of the Local plan

Planning Balance

7.26 The proposal complies with the Development Plan. For the reasons set out above it is considered that this reduced scheme has addressed the reasons for the dismissed appeal. There is no objection to access, layout, scale or appearance. Given its more sympathetic approach to existing levels and with the tree and hedge planting proposed, it will have an acceptable impact on the character and appearance of the area including the setting of nearby Listed buildings. Protected species can be safeguarded and a new gain in biodiversity secured. The scheme will deliver sustainable development and a recommendation of approval is therefore made.

8. RECOMMENDATION

A. That planning permission be granted subject to the following conditions: -

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

Reason: - To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2018-2296-18G,19B,20B,21B,22,24A,25A,26A and 27A

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

3. The material to be used in the development as follows:-

Faving brick - Ibstock Birtley Old English

Roof Tiles - Forticrete slate grey twin interlocking plain concrete tiles

Eaves and verge detail – Ibstock Birtley Old English

Heads and cills – Reconstituted sandstone heads and cills

Widows - Grey upvc casements

Doors – Black composite entrance door, grey upvc patio doors with reconstituted sandstone heads.

Reason: - In the interests of the character and appearance of the area including the setting of nearby Listed buildings.

4. The windows and doors shall be set

shall be set back a minimum of 75mm from the edge of the brickwork around the window opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason: - In the interests of the character and appearance of the area including the setting of nearby Listed buildings.

Highways and access

5. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

6. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

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 bin store for collection day adjacent to but clear of the footway to avoid obstruction. The bin store area shall thereafter be provided in accordance with the approved plans and retained for the life of the development.

Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

8. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 10m back from the carriageway edge boundary in accordance with the approved plans.

Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

9. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor, sited immediately to the rear of the highway boundary, connected to a surface water outfall (not highway drains) or drained to SUDS principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

10. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) a site compound with associated temporary buildings;
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) wheel wash facilities
- vi) road sweeper

Reason: - To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety and to ensure the development can be constructed without undue inconvenience to road users

11. No mud or other deleterious material shall be deposited on the carriageway. Any that is shall be immediately removed by mechanical means.

Reason: - To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety and to ensure the development can be constructed without undue inconvenience to road users

12. The integral garages forming part of the development hereby permitted shall be maintained for the garaging of private motor vehicles only and for no other purpose without the express consent of the Local Planning Authority.

Reason: - To safeguard satisfactory car parking facilities on the site.

Landscape management and Implementation

13. Prior to the commencement of development a scheme for the future management and maintenance of the landscaped areas outside plot curtilages shown on 2018-2296-27A shall be submitted and approved in writing by the Local Planning Authority . The development shall thereafter be carried out in accordance with the approved scheme.

Reason: - To ensure that the landscaping is managed and maintained in the interests of the character and appearance of the area including the setting of nearby Listed buildings.

14. The approved landscaping scheme for those areas outside plot curtilages shown on drawing no 2018-2296-27A shall be fully implemented during the first planting season following commencement of development. All other landscaping shall be carried out in the first planting season following completion of the particular plot to which it relates having regard to 2018-2296-27A. Any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: - To ensure that the landscaping is delivered early in the development in the interests of the character and appearance of the area including the setting of nearby Listed buildings.

Construction & Demolition Works: Time of operations

15. 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.

Construction & Demolition: Construction Method Statement

16. The development hereby permitted shall not take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement should include the following details:-

- I. A scheme to minimise dust emissions arising from demolition/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.
- II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
- III. a scheme for recycling/disposal of waste resulting from the demolition/construction works;
- IV. The arrangements for prior notification to the occupiers of potentially affected properties;
- V. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- 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;

Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development..

Reason: To protect the amenities of the area from dust

Unexpected Contamination

17. In the event that contamination, including surface coal measures, is found at any

time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development 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. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Importation of Soil/Material

18. 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 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.

Waste Management

19. 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.

Sound Insulation

20. 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 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 30dBL_{Aeq} in bedrooms (23:00 to 07:00) 35 dBL_{Aeq} in bedrooms (07:00 to 23:00), less than 40 dBL_{Aeq} in living areas (07:00 to 23:00) and less than 50dB_A in garden areas (07:00 to 23:00). Pre completion tests shall be carried out to verify compliance with the agreed Scheme and the results provided in a Report to include all raw data and showing how calculations have been made and submitted to the Local Planning Authority for its written approval before any of the units hereby permitted are brought into use.

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

Biodiversity

21. No development, including any site clearance shall take place until an Amphibian/ Reptile Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details

Reason:- In the interests of protected species and to secure biodiversity enhancement.

22. No development, including site clearance shall take place until a detailed survey of the grassland has been undertaken together with a Biodiversity Impact Assessment using Defra metric 2.0 and the results submitted to the LPA for its written approval. In the event that the BIA shows a deficit, details of how this will be mitigated off site with a timescale for implementation shall be agreed in writing by the LPA before any development, including site clearance takes place. The development shall thereafter be carried out strictly in accordance with the approved details and timescales.

Reason:- To ensure a net gain in biodiversity is achieved.

23. Notwithstanding the submitted plans and prior to the commencement of development a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority indicating inter alia the positions of all existing trees and hedgerows within and around the site, indications of any to be retained together with measures for their protection during the course of development, also the number, species, heights on planting and positions of all additional trees, shrubs and bushes to be planted.

Reason:- In the interests of the character and appearance of the area including the setting of nearby Listed buildings and biodiversity enhancement

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 Head of Development Services 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.

INFORMATIVES

1. This is considered to be a sustainable form of development which complies with the provisions of the NPPF

2. The dropped crossing to the site shall be constructed in accordance with the submitted drawings and 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. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

4. Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), Professional Practice Guidance ProPG: Planning and Noise, BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

5. Information on Coal Mining Risk Assessment can be found on the UK government Website:

<https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments>

6. 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>

7. 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.

8. 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)

9. 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.