

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT



Application number: 25/00387/FUL

Mrs Francesca Pepper-Bone
CPC Planning Consultants
Unit 5 Clovelly Business Park
Clovelly Road
Southbourne
West Sussex
PO10 8PW

Applicant: Silverdale UK Developments Ltd

Description of development

Retention of existing public house and erection of four two-bedroom dwellings and four three-bedroom dwellings (Use Class C3) forming access off Ashbourne Drive, with associated parking, hard and soft landscaping.

Location of development

The Bush Inn High Street Silverdale

The Council of the Borough of Newcastle-under-Lyme in pursuance of powers under the above-mentioned Act hereby **PERMIT** the above development, in accordance with the submitted plans and other documents, subject to compliance with the conditions specified below. Failure to carry out the development in accordance with the permission/consent or to comply with any condition may make the permission/consent invalid and may lead to enforcement or other legal action

This decision does not convey any approval or consent which may be required under any enactment, by-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

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1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

R1: To comply with the provisions of Section 91 of The Town and Country Planning Act.

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

- 'Proposed Site Layout' Drawing No 23-3482.153
- 'Site and Location Plan' Drawing No 23-3482.150
- 'Biodiversity Metric'
- 'Preliminary Ecological Appraisal and Biodiversity Net Gain Summary' by Kingdom Ecology dated 31/3/2025
- 'Desk Based Odour Assessment' by Kalaco Group Ref: ODC-P1023B-B1-2
- 'Noise Impact Assessment' by Airtight Noise Check dated 25/3/25
- 'Subsidence Buffer Report' Ref: 51003396988001
- 'Arboricultural Method Statement' by Mulberry Ref: TRE/TB1HSSN/Rev F
- 'Arboricultural Implications Assessment' by Mulberry Ref: TRE/TB1HSSN/Rev F
- 'Transport Statement' by Transport Planning Associates Ref: 2312-016/TS/02
- 'Proposed and Existing Sections' Drawing No 23-3482.158
- 'Proposed Elevations' Houses 1, 2, 3 & 4 Drawing No 23-3482.155
- 'Proposed Floor Plans' Houses 1, 2, 3 & 4 Drawing No 23-3482.154

R2: For the avoidance of doubt and in the interests of proper planning.

3. No development above damp proof level shall take place until details of all facing, roofing and hard surfacing materials to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved materials.

R3: To preserve the character and appearance of the area in accordance with The National Planning Policy Framework.

4. No development above damp proof level shall take place until details of all boundary treatments both within and along the boundaries of the site, including the acoustic fencing have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be erected before the first occupation of the dwellings.

R4: To preserve the character and appearance of the area and provide an appropriate living environment for both existing and proposed residents, in accordance with the National Planning Policy Framework.

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5. No development shall commence until a scheme for the disposal of foul and surface water drainage including sustainable drainage systems has been submitted to and approved in writing by the local planning authority. The approved foul and surface water scheme shall be implemented before the first occupation of the development.

R5: To ensure that the development is adequately drained, in accordance with the National Planning Policy Framework.

6. Construction and demolition activities which are audible beyond the site boundary, including deliveries, ground works and earth movements, shall be restricted to the following days and times:

- 08.00 - 18:00 Monday to Friday
- 08.00 - 13:00 Saturday

Construction shall not be undertaken on a Sunday or a public holiday.

R6: To mitigate, and reduce to a minimum, adverse impacts on health and quality of life arising from pollution as described within the National Planning Policy Framework 2024.

7. Prior to the commencement of any construction, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details relating to construction access, hours of construction, routing of HGVs, delivery times and the location of the construction compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

The development shall thereafter be implemented in accordance with the approved details.

R7: In the interests of highway safety and to accord with the National Planning Policy Framework 2024.

8. The development hereby permitted shall be constructed in accordance with the noise mitigation measures set out in the Noise Impact Assessment' by Airtight Noise Check dated 25/3/25.

R8: To ensure that the living conditions of existing and proposed residents are safeguarded, in accordance with the National Planning Policy Framework.

9. In the event that contamination is found or is suspected to be present, at the site when carrying out the approved development then development shall be halted (unless otherwise agreed in writing with the Local Planning Authority), and it must be reported in writing to the Local planning authority. An investigation and risk assessment must be undertaken, in accordance with the requirements of BS10175 (2001) - Investigation Of Potentially Contaminated Sites Code of Practice, BS8485 (2007) Code of Practice for the

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Characterization and Remediation from Ground Gas in Affected Developments, and CLR 11 Model Procedures For The Management Of Land Contamination, issued by The Environment Agency, and any remedial proposals submitted and agreed in writing prior to the recommencement of the development.

10. Prior to commencement of the proposed use of the site written confirmation that no contamination was found or suspected or if remedial actions were required independent validation that proposed remedial measures have been carried out in accordance with the agreed scheme.

The validation report shall contain:

- i. A full description of the works undertaken in accordance with the Remediation Proposals.
- ii. Results of any additional monitoring or testing carried out between the submission of the Remediation Proposals and the completion of remediation works.
- iii. Movement permits of all materials taken to and from the site
- iv. A statement signed by the developer or the approved agent, confirming that all the works specified in the Remediation Proposals have been completed.

R10: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with paragraph 196 of the National Planning Policy Framework 2024.

11. No development above damp-proof level shall take place until full details of the construction of the new vehicular access onto Ashbourne Drive has been submitted to and approved in writing by the local planning authority. The approved access details shall be constructed in accordance with the approved details before the first occupation of the development. been fully

R11: To provide safe and suitable access to the site and in the interests of highway safety, in accordance with the National Planning Policy Framework.

12. The approved secure, covered and safe cycle parking facilities shown on the 'Proposed Site Layout' Drawing No 23-3482.153 shall be provided within the site prior to the first occupation of the development. The approved facilities shall be retained in perpetuity.

R12: In the interests of sustainable travel, in accordance with the National Planning Policy Framework.

13. The proposed car parking, driveway, servicing and circulation areas as shown on the approved plans drawing no. 23.3482.153 shall be hard surfaced in a bound material, lit and marked out prior to the first occupation of the site hereby permitted. Thereafter these parking/servicing areas shall be retained in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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R13: To provide safe and suitable access to the site and in the interests of highway safety, in accordance with the National Planning Policy Framework.

14. No development above damp-proof level shall take place until a detailed landscaping scheme has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include details of the species to be used, plant supply sizes and number of all new tree, hedgerow, shrub and grassland planting. The approved landscaping scheme shall be completed in the first planting and seeding season following the first occupation of the first dwelling within the development.

R14: To preserve the character and appearance of the area, in accordance with the National Planning Policy Framework.

15. The development shall be constructed in accordance with the tree protection measures and mitigation measures detailed in the Arboricultural Method Statement and Arboricultural Implications Assessment by Mulberry Ref: TRE/TB1HSSN/Rev F.

R15: To ensure that existing trees on the site and its boundaries are adequately protected during demolition/construction works, in accordance with the National Planning Policy Framework.

16. The approved refuse/recycling arrangements and collection points shown on the 'Proposed Site Layout' Drawing No 23-3482.153 shall be provided within the site prior to the first occupation of the development. The approved facilities shall be retained in perpetuity.

R16: To ensure that appropriate waste and recycling facilities are provided for future residents, in accordance with the National Planning Policy Framework.

17. No development above damp-proof level shall take place until details of any external lighting and an access gate to the side boundary/enclosing the alleyway to the rear of plot 2 are submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to the first occupation of the development.

R17: To ensure that the development provides a safe and secure environment for the proposed occupiers, in accordance with the National Planning Policy Framework.

18. A written Habitat Management and Maintenance Plan for the Site shall be submitted to the Local Planning Authority as part of the reserved matters application. The approved Habitat Management and Maintenance Plan shall relate to all 'significant' biodiversity gains on site and must be strictly adhered to and implemented in full for a minimum of 30 years following completion.

R18: In the interests of ecology and biodiversity and to ensure the proposal complies with the requirements of the National Planning Policy Framework 2024.

19. The development hereby permitted shall be carried out in accordance with the mitigation measures contained in the approved Preliminary Ecological Appraisal and Biodiversity Net Gain Summary' by Kingdom Ecology dated 31/3/2025.

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R19: To ensure that the development provides the necessary biodiversity enhancements, in accordance with the National Planning Policy Framework.

IMPORTANT - Biodiversity Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 applies a biodiversity gain condition to applications that are not exempt from biodiversity net gain.

The development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:

[Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with the application

Following the submission of additional information, the proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy.

Informative

In order to provide a vehicular access crossing you require a 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 Traffic and Network Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to trafficandnetwork@staffordshire.gov.uk)

<https://www.staffordshire.gov.uk/Highways/licences/Vehicle-access/VehicleAccessCrossings.aspx>

It is recommended that a total of 10no kerbs (10no full height kerbs) are replaced with 10no dropped kerbs (8no dropped and 2no transitional kerbs) in order to provide an adequate vehicular access crossing.

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It is recommended that all new dwellings are provided with Electric Vehicle Charging Points or, as a minimum, the electrical cabling to allow future installation of such facilities.

This applicant should also provide drainage interceptor details to prevent water running from the site onto the highway.



Craig Jordan
Service Director- Planning

Newcastle-under-Lyme Borough Council
Telephone 01782 717717
[E-Mail planningapplications@newcastle-staffs-gov.uk](mailto:planningapplications@newcastle-staffs-gov.uk)

Date: 28 July 2025

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Notes to the applicant

You are advised that a report has been prepared which provides more details on the consideration of this proposal. The report is viewable as an "associated document" online at <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/25/00387/FUL>

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.