

Mr Andrew Critchlow  
AEW Architects  
c/o Forge Lane Water Tower  
Elm Road  
Congleton  
Cheshire  
CW12 4PR

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Mr & Mrs Critchlow  
121 Tunstall Road  
Knypersley  
Staffordshire  
ST8 7AA

Application no: SMD/2015/0813

Determined on: 22/02/2016

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) England) Order 2015**

**FULL PERMISSION FOR DEVELOPMENT**

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

**Location of Development:**

121 Tunstall Road, Knypersley, Staffordshire ST8 7AA

**Description of Development:**

Demolition of existing garage, construction of new detached garage, associated site works and minor changes to detached bungalow

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

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

Reason:-

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

2. The development hereby approved shall be carried out in complete accordance with the amended submitted plans and specifications as follows:-

6305\_AEW\_XX-XX-DR-A-100

6305\_AEW\_XX-XX-DR-A-101

6305\_AEW\_XX-XX-DR-A-102 Revision B dated 11.02.16

6305\_AEW\_XX-XX-DR-A-103 Revision B dated 11.02.16

6305\_AEW\_XX-XX-DR-A-105

Reason:-

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

3. The building materials for the detached garage building hereby approved shall comprise bricks and tiles reclaimed from the garage on site to be demolished or materials which match those of the existing dwellinghouse on site.

Reason:-

In the interests of the character and appearance of the area.

4. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved by the Local Planning Authority. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive) unless otherwise agreed by the Local Planning Authority and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.

Reason:-

In the interests of protecting trees on the site which contribute positively to the character and appearance of the area and to protect the ecological value of the site.

5. Before the commencement of development (including any demolition, alterations/additions to existing hard-surfaced areas and access drive/parking/turning areas, site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees to be retained on and off-site shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the Local Planning Authority. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the Local Planning Authority.

Reason:-

In the interests of protecting trees on the site which contribute positively to the character and appearance of the area.

6. Before the commencement of development (including any demolition, alterations/additions

to existing hard-surfaced areas and access drive/parking/turning areas, site clearance, stripping or site establishment), a landscaping scheme shall be submitted to and approved by the Local Planning Authority. Such a scheme shall include indications of all existing trees to be retained or removed and shall also include full details of all new tree and shrub planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:-

In the interests of protecting trees on the site which contribute positively to the character and appearance of the area.

7. The development hereby permitted shall not be brought into use until the visibility improvement shown on plan ref. no 6305\_AEW\_XX-XX-DR-A-103 Rev B has been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:-

In the interests of highway safety.

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

Reason:-

In the interests of highway safety.

### Informative

1. During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the trees on site were not harmed. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

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**Signed on behalf of Staffordshire Moorlands District Council**

### NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.
3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : [www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk) for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
  - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
  - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
  - (a) Any variation from the approved plans following commencement of the

development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.

- (b) Variation to the approved plans will require the submission of a new planning application.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
  7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
  8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.