Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 1995

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.

Application No: 08/01703/FUL

To:
Mr R Hill
c/o Miss Beverley Dawson
Berkeley Court
Borough Road
Newcastle-under-Lyme
Staffordshire
ST5 1TT

Location of Development:

Land At Churnet Grange Station Road Cheddleton Staffordshire Moorlands

Description of Development:

Erection of 6 no. timber chalets for tourist accommodation.

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 in accordance with plans ref: 3730-01-03 REV B; 3730-01-02; 3730-01-03 REV A; 3730-01-05; 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 and Compulsory Purchase Act, 2004.

2.Notwithstanding the provisions of Article 3(1) of the Town and Country Planning General Permitted Development Order, 1995 (as amended) planning permission shall be obtained before carrying out within the curtilages of these residential units any additional domestic development described in Classes A to G of Part 1 of Schedule 2 to the Order (as amended) and Classes A and B of Part 2 of Schedule 2 to the Order.

Reason:-

To safeguard the character and visual amenities of the area. The site lies within countryside designated as Special Landscape Area in the adopted Local Plan and the visual impact of the development is significantly affected by the maintenance of a continuity of elevational style and an open rural setting

3.Notwithstanding Condition 2 of this planning consent and the provisions of the Town and Country Planning General Permitted Development Order 1995, no fences, gates or walls shall be erected within the curtilage of the site except for an enclosure along the south eastern boundary of the site with the protected woodland. The details of any enclosure along this boundary shall be first agreed in writing with the Local Planning Authority before any work on the boundary enclosure commences.

Reason:-

To safeguard the amenities of the area in general and to enable the protection of statutorily protected species, as advocated in the submitted ecological study..

4.The proposed chalets shall be used for short stay holiday accommodation not exceeding four weeks at any one time and for no other purpose including any purpose in Class C3 (dwelling houses) of the Town and Country Planning Use Classes Order 1987. There shall be no other form of residential occupation or time span of occupation without the agreement in writing of the Local Planning Authority.

Reason:-

The premises are not considered a suitable location for permanent residential occupation, and account as been taken of the content of the Development Study (and the commentary on the tourism action strategy for the area).

5.Details of the facing materials for all external walls, ,joinery, decking-rafter arrangement and roofing to be used shall be submitted to and approved in writing by the Local Planning Authority before building work commences.

Reason:-

In the interests of the visual amenities of the area, to assimilate the built development into this open countryside setting designated as Special Landscape Area in Staffordshire Moorlands Local Plan.

6.Before the commencement of development, including site clearance and stripping, a comprehensive landscaping scheme shall be submitted to and approved by the Local Planning Authority. The scheme shall identify all existing trees, shrubs and hedgerows to be retained or removed, and notwithstanding any indication on the approved site plan there shall be no removal of such existing features other than in accordance with the approved landscaping scheme or as agreed by the local planning authority. The landscaping scheme shall include full details of species, positions, sizes and numbers/densities of proposed new planting and seeding, and shall also include details of on-going landscape and habitat management for the site. The agreed landscaping provision details shall be implemented the next planting season following the substantial completion or occupation of the proposed development unless otherwise agreed in writing with the Local Planning Authority .

Reason:-

In the interests of amenity and for the protection of this open countryside setting

7.Before the commencement of development, including site clearance and stripping, details of the specification and positions of temporary fencing and advisory notices for the protection of existing trees to be retained shall be submitted to and approved by the LPA. Such details shall be in accordance with guidance in British Standard 5837:2005 Trees in Relation to Construction Recommendations, unless otherwise agreed by the Local Planning Authority.

Reason :-

To ensure adequate protection of trees to be retained as part of the development in accordance with Policy N8 of Staffordshire Moorlands Local Plan.

8.Before the commencement of development, including site clearance and stripping, the protective fencing and notices approved under Condition No. 7 of this consent shall be erected and maintained in position for the full duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, 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:-

To ensure adequate protection of trees to be retained as part of the development in accordance with Policy N8 of Staffordshire Moorlands Local Plan.

9.There shall be no importation of landfill materials into the site or exportation of excavated materials from the site as a result of the proposed development without the written agreement of the Local Planning Authority on matters of the route(s) of construction traffic, times and frequency of vehicle movements and the scale of works. The operations shall be undertaken in accordance with the agreed particulars.

Reason:-

To minimise the impact of groundwork operations on nearby occupants in the interests of amenity.

10.Details of the proposed finished floor levels of the buildings hereby permitted together with any changes to the existing ground levels shall be submitted to and approved in writing by the Local Planning Authority before building work commences. The development shall be undertaken in accordance with the agreed details.

Reason:-

In the interest of the maintaining the open countryside appearance of the area and to ensure the development assimilates with this natural setting.

11.

Before the proposed development is brought into use the parking and turning areas shall be provided in accordance with

submitted Drg. No.3730-01-02 Rev. F the subject of this consent and shall thereafter be retained for the life of the development.

Reason:-

To secure adequate highway and parking facilities commensurate with the scale of development.

12.Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before any of the chalets are occupied.

Reason:

There is no public foul / surface water sewers available within the vicinity of the site to provide a more sustainable drainage arrangement.

Informatives

1. The policies taken into account in the determination of this submission are Policies RR1, PA 10. PA 14 QE 1 and QE6 of Regional Spatial Strategy for the West Midlands, Policies D1, D2, D4, E11A,E12, NC1 and NC2 of Staffordshire and Stoke on Trent Structure Plan(and Supplementary Planning Guidance on Landscape Character) and Policies N8, N9, B13, R16 R17 and R18 of Staffordshire Moorlands Local Plan. National planning advice in P.P.S. 1, P.P.S.7 ,P.P.S.9, P.P.G. 13 and P.P.S.23 ,together with advice in companion documents "Manual for Streets" and "Good Practice Guide on Planning for Tourism" have also been taken into account.

The proposed development is considered to be in an acceptable location to directly contribute to exploiting the tourism potential of the Churnet Valley area whilst being sufficiently close to the edge of Cheddleton and more particularly nearby tourist destinations to not be a departure from normal countryside protection policies which restrict new buildings on sustainable development grounds.

In terms of site constraint considerations the submitted details overcome the concerns of design, visual impact and amount / scale of development (which led to the withdrawal of two previous submissions).The relationship with existing surrounding development is considered to be acceptable and the level of traffic generation using the shared driveway arrangement is also considered to be satisfactory. The site is in close proximity to a working farm but it is not

considered that the relationship is such that the proposal would be incompatible with the long established agricultural operations although some land drainage issues to the north east of the site may need attention.

2. The Highway Authority advise that their response to the level of parking provision this accords with a parking standard of 1No. space per 2 sleeping room unit which is considered appropriate for the scale of proposed development.

3. The applicant is reminded to consider the conclusions and recommendations in the background ecological reports accompanying this application. In particular, the merits of excluding access to the adjoining woodland to the east of the application site.

Signed on behalf of Staffordshire Moorlands District Council

08/01703/FUL

NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of the date of the decision notice. (Appeals must be made on a form which is obtainable from the Department of Transport, Local Government and the Regions, Planning Inspectorate, Temple Quay House, No.2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the Development Order, and to any directions given under the Order.

2. If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough or District Council or County Council in which the land is situated, as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part IX of the Town and Country Planning Act, 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act, 1990.