Mr & Mrs Rathbone
C/o Hewitt & Carr Architects
Cross Street
Cheadle
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moorlands
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Church View Farm
Hollington Road
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ST10 1RE

Application no: SMD/2016/0228

Determined on: 11/07/2016

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:
Tree Tops Black Lane Winnothdale Staffordshire ST10 4HB

Description of Development:
Demolition of existing dwelling and erection of a 3no. bed bungalow with integral garage at lower ground floor level (resubmission of SMD/2015/0677)

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 accordance with the listed conditions and the details shown on the following submitted plans:-

- Proposed Floor Plans 00418 PL(0) 10 B

- Proposed Sections 00418 PL(0) 11 A
- Proposed Elevations 00418 PL(0) 12 B
- Site Plan 00418 PL(0) 13 B
- Landscaping Plan 00418 PL(0)14 A

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

3. The development hereby permitted shall be undertaken in accordance with the following approved details:-

Walls:
Blockleys Wrekin Dark Red Facing Bricks
FSC Dura Cladding 250 Flush Cedar (P29) FC03090
Rheinzink standing seam cladding laid vertically to cantilevered balcony

Roof
Staffordshire dark blue plain clay tiles with solar century C21e plain tile photovoltaic panels to south west slope - drawing ref. 00418 PL(0)12B and Solar Century Datasheet - Solar electricity for plain tiled roofs.

Hard Surfacing
Driveway to be surfaced in tarmac.

Landscaping Scheme, including boundary details
Drawing ref. 00418 PL(0)14 A

Window and Doors
Powder coated aluminium framed windows and doors - drawing ref. 00418 PL(0)12B

Eaves & Verge Details
PVC Square section eaves gutter on pvc u fascia complete with over fascia ventilator - drawing ref. 00418 PL(0)12B
PVC Barge Boarding

Existing and Proposed Levels
Drawing ref. 00418 PL(0)12B and 00418 PL(0)13B

Reason:- In the interests of the visual appearance of the development and the amenities of the area.

4. The development hereby permitted shall not be brought into use until the proposed parking and turning areas have been provided in accordance with the approved

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plans.
Reason:- In the interests of highway safety.

5. Nothing shall be placed, planted or allowed to remain within 2.4 m of the carriageway edge that is greater than 900mm in height above the adjacent carriageway level on the frontage of the development. Anything that is greater than 900 mm in height within 2.4 m of the adjacent carriageway shall be immediately removed.
Reason:- In the interests of highway safety.

6. 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 and porous material for a minimum distance of 5m back from the carriageway edge.
Reason:- In the interests of highway safety.

7. 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 shall not be continued 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 exists to any identified receptors, development shall not re-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 written approval of the local planning authority. Following completion of measures identified in the approved remediation scheme in the event that contamination is discovered, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority prior to the development being first brought into use.

8. 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 shall be submitted to and approved in writing by the Local Planning Authority. The methodology shall 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 shall be submitted to and approved in writing to by the Local Planning Authority prior to the soils being imported onto site.
Reasons (7 – 8):- 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

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carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. The development hereby approved shall be carried out in accordance with the approved Construction and Environmental Method Statement (received 13/06/16) and the following requirements:-

- The hours of work for 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) and 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;
- Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;

Reason:- In the interests of protecting neighbour amenity and highway safety.

10. Before the commencement of development (including any demolition, site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in the Tree Heritage Arboricultural Report reference THLR15/127 accompanying the application, and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. 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 tree protection and the visual amenities of the area.

11. 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, shrubs and other plants which are 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 the general amenities of the area.

12. No removal of any hedgerows, trees or shrubs or works to demolish structures that may be used by breeding birds shall take place between 1st March and 31st

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August inclusive unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before vegetation clearance and provided written confirmation that no birds will be harmed and /or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation must be submitted to the Local Planning Authority prior to any work commencing.
Reason:- In the interests of ecology.

Informative(s)

1. The Council has sought a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

Signed on behalf of Staffordshire Moorlands District Council

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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 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.

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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/pcs. 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

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Planning Act 1990.