STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Mr Ken Wainman
Ken Wainman Associates Ltd
31a St Edward Street
Leek
Staffordshire Moorlands
ST13 5DN

Mr & Mrs Smith
C/O Ken Wainman Associates Ltd

Application no: SMD/2016/0285

Determined on: 18/10/2016

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

GRANT OF OUTLINE PLANNING PERMISSION

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:
Land Adjacent 127 STATION ROAD CHEDDLETON STAFFORDSHIRE

Description of Development:
Outline application for the erection of a dwelling including means of access, layout and scale

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

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
   Reason:- To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
   Reason:- This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

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3. The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called ""the reserved matters"") before any development is commenced.

   a)-The siting of the building(s)
   b)-The design of the building(s)
   c)-The external appearance of the building(s)
   d)-The means of access to the building(s)
   e)-The landscaping of the site
   Reason:- The application is an outline application under the provisions of Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

4. Before the commencement of development (including any demolition, site clearance, stripping or site establishment) temporary protective dencing and advisroy notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in Britsh Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and as set out in the Tree Heritage Arboricultural Report reference THL-R15/130 submitted in support of the planning application, and shall be retained in position for the duration of the period that development takes place. 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.
   Reason: In the interests of protecting the visual amenity of the area.

5. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details before the development is first brought into use.
   Reason: To ensure that the development hereby approved is provided with a satisfactory means of drainage; to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of flooding.

6. Before the proposed development is first brought into use the existing access shall be reconstructed, widened and completed in accordance with the approved details.
   Reason: In the interests of highway safety.

7. Prior to the commencement of development a plan to show the parking layout, turning and surfacing of vehicles within the site curtilage shall be submitted to and approved in writing by the Local Planning Authority. The approved parking and turning area shall be provided prior to the first occupation of the development hereby permitted and shall thereafter be maintained free from obstruction

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exclusively for the parking and turning of vehicles.
Reason: To comply with paragraph 32 of the National Planning Policy Framework and policy DC1 of the Staffordshire Moorlands Core Strategy.

8. For a minimum distance of 5m from the rear of the carriageway edge surfacing of the approved access shall be in a bound and porous material in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to the commencement of development.
   Reason: To comply with paragrpah 32 of the National Planning Policy Framework and policy DC1 of th Staffordshire Moorlands Core Strategy.

9. Any gates shall be located a minimum distance of 5m rear of the carriageway edge.
   Reason: To comply with paragraph 32 of the National Planning Policy Framework and policy DC1 of the Staffordshire Moorlands Core Strategy.

10. The development hereby permitted shall not be commenced until details of the surface water drainage intercepter connected to a surface water outfall or drained on Sustainable Urban Drainage System (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 paragraph 32 of the National Planning Policy Framework and policy DC1 of the Staffordshire Moorlands Core Strategy.

11. The development hereby permitted shall not be commenced until details of the 2.4mx43m to the south and 2.4mx10m to the north visibility splays have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall be provided in accordance with the approved plan prior to the development being brought into use and shall thereafter be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level.
    Reason: To comply with paragraph 32 of the National Planning Policy Framework and policy DC1 of the Staffordshire Moorlands Core Strategy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting or amending that Order with or without modification, no development within Schedule 2, Part 1, Classes A - H shall take place on the dwellinghouse hereby permitted or within its curtilage unless a further plannign permission has first been granted on application to the Local Planning Authority.
    Reason: Having regard to the character and openness of the Green Belt.

Informative

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1. The access crossing to the site from the highway shall be widened and reconstructed in accordance with details to be submitted and SCC requirements. Please note that prior to the access being widened and reconstructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Although the pack refers to droppped crossings, a S184 notice is required for an access leaving the carriageway and crossing highway verge. 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)
(ttp://www.staffordshire.gov.uk/transport/staffshighways/licences/

2. Severn Trent Water advise that there may be a public sewer located within the application site and encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building.

3. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

4. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

X B.J. Haywood

Signed by: Haywood, Ben

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 at buildingcontrol@staffsmoorlands.gov.uk

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. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk 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.

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8. If this is a decision to refuse planning permission for a minor commercial 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.

9. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

10. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents 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

11. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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.

12. 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.