

Mrs Northam
21 Uttoxeter Road
Blythe Bridge
Staffordshire
ST11 9HY

Application no: SMD/2016/0690

Determined on: 04/01/2017

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

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:

21 Uttoxeter Road Blythe Bridge Staffordshire ST11 9HY

Description of Development:

Construction of Vehicular Access onto Public Highway

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall not commence until the 'Notice of Approval', required by Section 184 of the Highways Act 1980 to carry out works within the limits of the public highway, has been issued by the Staffordshire County Council.

Reason:- To ensue that the development is carried out and completed to an acceptable standard by the developer.

3. The development hereby permitted shall not be brought into use until the works within the limits of the public highway, to provide the dropped crossing, have been carried out and completed in accordance with the details shown on the submitted drawings entitled 'Proposed Plan Layout' and 'Site Plan' and any drawing, detail or requirement that has been approved or imposed by Staffordshire County Council as Highway Authority.

Reason:- To ensure that the development is carried out and completed to an acceptable standard by the developer.

4. The development hereby permitted within the limits of the land under the applicant's control and ownership shall be carried out and completed in accordance with the details shown on the submitted drawings entitled 'Proposed Plan Layout' and 'Site Plan'.

Reason:- For the purposes of clarification and the avoidance of doubt and to ensure that the development is carried out and completed to an acceptable standard by the developer.

5. The development hereby permitted shall not be brought into use until the access, turning space and parking facilities shown on the approved plan have been properly laid out and provided. These areas shall thereafter be retained and kept available, and free from obstruction, for those uses at all times.

Reason:- In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

6. Before the development hereby permitted is brought into use the access shall be surfaced and thereafter maintained in a permeable bound material for a minimum distance of 5 metres rear of the highway boundary.

Reason:- In the interests of highway safety.

7. Before the development hereby permitted is brought into use the full width of the access opening shall be provided by removing the 5.5 metre span of hedgerow at the site frontage from the position shown on the submitted drawing entitled 'Proposed Plan Layout'. The full width of that opening shall be retained and remain free from any structure, planting, or other form of obstruction.

Reason:- In the interests of highway safety.

8. Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or as may subsequently be amended or re-enacted the close boarded fence to be erected on the shared boundary with No. 19 Uttoxeter Road shall be limited to a height of 1.2 metres, as confirmed by the applicant, and there shall be no other fences, walls, gates, posts or pillars erected to the frontage of the site unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- In the interests of highway safety.

Informative

1. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraphs 186-187.
2. The proposal is close to a recorded flooding incident - however, there is no record of any detail from which source and when. In good faith, the applicant is advised that if installing a drop-curb, then any noted flooding that may have occurred within the road may not now be fully contained, so the property may wish to consider flood resilience measures in case of any flood flows nearing the property. The National Flood Forum can help advise on suitable measures and offer advice.

X *B.J. Haywood*

Signed by: Haywood, Ben

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 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.

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.