STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Andrew Evans
Lime Architecture Ltd
Park Lodge Buildings Bagots Park
Rugeley
WS1 3ES

Mr Williamson
3 Teanhurst Close
Lower Tean
ST10 4NN

Application no: SMD/2016/0568

Determined on: 06/02/2017

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:
3 Teanhurst Close Lower Tean Staffordshire ST10 4NN

Description of Development:
Conversion of existing garage for use as a physio fitness room, treatment room and waiting area and alterations to elevations including raising the ridge height to form a pitched roof

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 permitted shall be carried out in strict accordance with the submitted plans numbered 2016-47-02 Block & Location Plans, 2016-47-04 Proposed Plans & Elevations & 2016-47-05 Proposed Parking Layout subject to the following conditions and/or modifications:-
Reason:- For clarity and the avoidance of doubt.

3. The number of employees working in the development hereby approved at any one time shall not exceed two.
Reason:- To ensure that the scale of the use does not generate a volume of traffic movements which would cause disturbance to adjoining residents or result in a loss of highway safety.

4. Notwithstanding the provisions of Regulation 3 and Schedule 2 of the Town and Country Planning General Development Order 1995 (or any order revoking or re-enacting that order) the premises shall not be used other than for a physio fitness/treatment/waiting room for occupation health and physiotherapy and no other purpose (including any other purposes in Class D1 of the Schedule of the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
Reason:- For clarity and the avoidance of doubt and to protect the amenities of adjoining residents

5. The use hereby permitted shall only be conducted between 08:00 and 18:00 hours Tuesday, Wednesday and Friday and between 08:00 and 20:00 hours Monday and Thursday and 09:00 and 14:00 on a Saturday and at no time at all on a Sunday or Public Bank Holiday unless otherwise previously agreed in writing by the Local Planning Authority.
Reason: To minimise noise disturbance to adjacent residents.

6. The development hereby permitted shall not be implemented until the proposed car parking as shown on drawing 2016-47-05 Proposed Parking Layout has been properly cosolidated, surfaced and drained. The parking areas shall thereafter be provided in accordance with the approved plans and retained free from obstruction for the parking and turning of vehicles for the life of the development.
Reason:- In the interests of highway safety.

7. The machinery, plant or equipment including air condition and ventilation systems (machinery) installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014.
Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

9. Any artificial lighting incorporated into this site in connection with this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation.
Reason: To protect the local amenities of the local residents by reason of excess of illuminance.

10. The development hereby permitted shall be carried out in strict accordance with the

noise assessment report carried out by Cheshire Environmental Associates (December 2016) and the insulation measures contained in paragraphs 2.6-2.10 shall be implemented prior to the development hereby approved commencing and permanently so maintained for the life of the development.
Reason:- In the interests of residential amenity.

11. The number of physio theraphy customers visiting the site shall not exceed eight in any one day and customers shall visit the site on an appointment basis only. The owner of the application site shall maintain a register of customers for each calendar year which shall be made available for inspection by the Local PLanning Authority.
Reason:- In the interests of residential amenity and highway safety.

12. The building which forms the basis of this application shall be mainatined with number 3 Teanhurst Road as a single planning unit and at no point shall it be sold, sub let or disposed off without the prior written approval of the Local Planning Authority.
Reason:- To ensure proper control of the development and to avoid any future undesirable fragmentation of the curtilage having regard to the residential amenity of the area and highway safety.

Informatives

1. The application proposes a sustainable form of development which is in accordance with adopted development plan policies and guidance contained within the National Planning Policy Framework. The Local Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

2. You are advised that this permission does not grant consent for the display of any subsequent advertisements at t+hese premises, which may or may not require separate advertisement consent. You are advised to discuss any intended signage with the Planning Department in order to ascertain whether such consent will be required.

3. Your attention is drawn to the Party Wall Act 1986 in relation to development in close proximity to the shared boundary.

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.