STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

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Application no: SMD/2017/0421

Determined on: 10/08/2017

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:
Sandybrook Cheddleton Road Leek Staffordshire

Description of Development:
Outline permission with details of access for the erection of detached dwelling (resubmission of SMD/2014/0480)

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. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:-
To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. 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)- Appearance
b)- Landscaping

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c)- Layout
d)- Scale

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.

3. 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 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

4. Notwithstanding submitted drawing 'Revision A' this consent does not convey approval for the siting of the dwelling.

Reason:-
The application is in Outline only with siting reserved for later consideration.

5. Before the commencement of development, including any 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 in writing by the Local Planning Authority. 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 safeguard existing trees to be retained.

6. Before the commencement of development, including any site clearance and stripping, the protective fencing and notices approved under Condition No. 5 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 in writing by the Local Planning Authority.

Reason:-
In the interests of existing trees to be retained.

7. No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Provision of parking and turning within the site curtilage,
- Means of surface water drainage,
- Surfacing materials,

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation.

Reason:-
In the in interests of highway safety.

8. Details pursuant of the reserved matters consent shall indicate a minimum access width of 3.2 m for the first 5 m rear of the highway boundary.

Reason:-
In the interests of highway safety.

9. Details pursuant of the reserved matters consent shall indicate visibility splays of 2 m x 43 m at the site access and shall show no obstruction within the visibility splay over a height of 600 mm above the adjacent carriageway level.

Reason:-
In the interests of highway safety.

10. Details pursuant of the reserved matter consent shall indicated an ungated access.

Reason:-
In the interests of highway safety.

11. Unless prior permission has been obtained in writing from the Local Planning Authority, 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)
- 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.

Reason:-
To protect occupiers from noise and safeguard their residential amenities.

12. 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 commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing 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 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,

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buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

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

13. No top 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 agreed in writing by the Local Planning Authority prior to the soils being imported onto site. 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 submitted to and approved in writing to by the Local Planning Authority.

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

14. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:-
To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

15. The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:-
In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

16. The development hereby permitted shall not be commenced until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of

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any of the buildings on the site.

Reason:-
To provide adequate privacy and an acceptable external appearance.

17. The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

Location Plan Rev C 11/5/2011
Site Plan Rev A 11/05/2011

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

18. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

Reason:-
In the interests of highway safety.

Informative

1. 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: Ben Haywood

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.