STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Sammons Architectural Limited
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire
ST13 6JP

Mr Dawson
Dane Heights
Clay Lake
Endon
ST9 9DD

Application no: SMD/2017/0718

Determined on: 27/12/2017

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:
Dane Heights Clay Lake Endon Staffordshire ST9 9DD

Description of Development:
Outline application for Erection of detached dwelling (re-submission of SMD/2014/0616)

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 either before the expiration of three 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.
Reason:-
To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (As Amended)

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)-The layout of the building(s)
b)-The scale of the building(s)
c)-The appearance of the building(s)

d)-The landscaping of the site

Reason:-
The application is an outline application under the provisions of DMPO (2015) 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 91 of the Town and Country Planning Act 1990.

4. The development hereby approved relates to the site area shown in red on the following submitted plan:-

2008-1534-09A Location and Block Plans

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

5. Notwithstanding the details shown on approved drawing No. 2008-1534-09, this permission neither grants nor implies consent for the indicated location of the proposed dwelling
Reason:-
For the avoidance of doubt and because the application is in outline format only with details of siting/layout expressly reserved for later consideration.

6. The development hereby permitted shall not be commenced until a scheme of foul drainage and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.
Reason:- To ensure satisfactory drainage of the site and to avoid flooding.

7. The development hereby approved shall not be brought into use until the proposed access to the site as shown on the approved submitted drawing has been completed.
Reason:-
In the interests of highway safety

8. No development shall be commenced until details of the proposed parking and turning areas have been submitted to and approved in writing by the local planning authority as part of a reseved matters application. Those areas shall be constructed in accordance with the approved details prior to first occupation of the proposed dwelling and thereafter retained unobstructed for the parking and turning of vehicles for the life of the development.
Reason:-
In the interests of highway safety

9. The development hereby permitted shall not be brought into use until details of parking and turning facilties for Dane Heights have been submitted to and approved in writing by the local

planning authority. Those facilities shall thereafter be retained unobstructed for the parking and turning of vehicles for the benefit of Dane Heights.
Reason:-
In the interests of highway safety.

10. Before the proposed development commences the new access shall be constructed with a gradient not exceeding 1 in 10 for a distance of 4.5m from the rear of the highway boundary in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
Reason:-
In the interests of highway safety.

11. The access shall be ungated or any gates shall be set back a minimum of 6m rear of the highway boundary and shall open inwards away from the highway
Reason:-
In the interests of highway safety.

12. The development hereby permitted shall not be brought into use until details of a surface water drainage interceptor sited immediately to the rear of the highway boundary, connected to a surface water outfall or drainage to 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:-
In the interests of highway safety.

13. The development hereby permitted shall not be commenced until details of the 2.4m x 43m visibility splays have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development being brought into use.
Reason:-
In the interests of highway safety.

14. No site works including demolition and site clearance shall be commenced until details of the specifications and positions of temporary fencing and advisory notices for the protection of the mature Sycamore to be retained on the site frontage of the plot have been submitted to and approved in writing by the local planning authority. Such details shall be in accordance with BS 5837:2005 Trees in Relation to Construction recommendations.
Reason:-
To ensure that the Syamore tree is protected during construction works.

15. The protective fencing and notices required under the conditions above shall be erected before the commencement of any other site works and thereafter retained during the full period that approved 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, fuel, waste or concrete and cement, or lighting of fires.
Reason:-

To ensure that the Sycamore tree is protected during the development period.

16. No development including demolition, site clearance and stripping shall take place until a full specification of the drive construction has been submitted to and approved in writing by the local planning authority. The specification shall include for the use of no-dig methods and incorporate a suitable load-bearing measure or cellular confinement system for all parts of the drive lying within an 8-metre radius of stem centre position of the Sycamore, unless otherwise agreed in writing by the local planning authority.
Reason:-
To ensure the long-term conservation of the Sycamore tree.

17. The proposed drive as approved under the requirements of the above condtions shall be constructed in accordance with the approved specification and method before any other stage of the approved development, including any demoltion or other site clearance and stripping, takes place.
Reason:-
To ensure the protection of the Sycamore tree during site construction works.

18. 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. Further work shall not take place 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 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 approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented in full prior to the first occupation of the development.
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.

19. No top soil shall 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

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Informatives

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

2. The dropped crossing shall be constructed in accordance with the requirements of the local highway authority and an approval from Staffordshire County Council under Section 184 of the Highways act. More information can be obtained from the Network Management Unit at Staffordshire Place, 1 Wedgwood Building, Tipping Street, Stafford ST16 2DH. Email nmu@staffordshire.gov.uk or www.staffordshire.gov.uk/transport/staffshighways/licences.

3. The applicant should be aware that responsibility for safe development and secure occupancy of the site rests with the developer. Enquires regarding such matters as waste management and site contamination should be made with the County Council, Environment Agency and/or the Council's Environment Health Officer as appropriate prior to the commencement of development.

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.