STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

Philip Plant
P4 Architecture
P4 Architecture Lodge Hill
Leek
ST13 8NE

Mr Brassington
Lodge Hill Wallbridge Drive
Leek
ST13 8NE

Application no: SMD/2018/0135

Determined on: 29th June 2018

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:
Park Bungalow Leek Road Kingsley Moor Staffordshire ST10 2PS

Description of Development:
Replacement Dwelling

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 not be commenced until samples of all roof tiles and facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
   Reason:- To ensure that the external appearance of the development is satisfactory.

3. Prior to the commencement of development a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of boundary treatment, hard landscaping, including surface material, shrub and hedge planting, giving specification for species, positions,

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planting size and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (Noemebr to February inclusive) following completion of the development hereby approved. Trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.
Reason:- In the interests of Green Belt and visual amenity.

4. Prior to the first occupation of the dwelling the existing boundary treatment between the area hatched blue on drawing no. 02/002B shown “to be traded” and the adjoining agricultural land shall be removed along with the existing single storey garage and the boundary treatment approved purusant to condition 3 shall be erected on the red line on that drawing. The area hatched blue shall be seeded with meadow grass in the first planting season following first occupation of the dwelling.
Reason:- In the interests of Green Belt and visual amenity.

5. Prior to the commencement of development the undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks proposed to the development by past shallow mining activity shall be carried out. A report of the findings arising from the intrusive site investigations, the results of any gas monitoring and a scheme of proposed remedial works shall be be submitted to approved in writing by the Local Planning Authority. All approved remdial works shall be implemented prior to the first occupation of the development.
Reason:- In the interests of the safety and wellbeing of future occupants of the site having regard to historic coal mining features and hazards.

5. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

6. The development hereby permitted shall not be brought into use until details of the 2.4mx215m 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 thereafter be kept free of all obstructions to visibility, excluding trees, over a height of 900 mm above the adjacent carriageway level.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

7. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site access to footway with full height kerb, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in

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writing by the local planning authority. The existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height kerb in accordance with the approved plans prior to the development behing brought into use.
Reason:- To avoid proliferation of redundant accesses.

8. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 5m back from the carriageway edge
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A B C D E F G and H and/or Part 2 Class(es) A B and C, other than those expressly authorised by this permission, shall be carried out within the site without express planning permission first being obtained from the Local Planning Authority.
Reason:- To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

10. The development hereby approved shall be carried out in accordance with drawings numbered 02/001 A, 02/002 B, 02/003 A, 02/004 C, 02/005 C, 02/006 A, 02/007 B, 02/009 A.
Reason:- For the avoidance of doubt.

Informative

1. The applicant enganced in pre-application discussions and responded positively tot he advice provided. This is considered to be an acceptable form of development and so accords with the sustainability objectives 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 BControl@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.
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