STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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

Mr Cooper

Application no: SMD/2018/0285

Determined on: 06/07/2018

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:
Land Adjacent To Deepdale BIRCHALL LANE LEEK STAFFORDSHIRE

Description of Development:
Erection of a single dwelling and detached garage

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 approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

Location Plan
2018-2323-02 Revision C

2018-2323-03 Revision B

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

3. 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 avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

4. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.
Reason:-
To protect the amenities of the area and prevent air pollution

5. The development hereby approved shall not commence until drainage plans for the disposal of surface water have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in exact 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.

6. The existing hedgerow along the southern boundary of the application site shall be permanently retained.
Reason:-
In the interests of the character and appearance of the area.

7. Before the commencement of development (including any demolition, site clearance, stripping, site establishment or creation of new access), other than in relation to off-site trees along the eastern boundary of Plot 2 where this requirement does not apply, temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the Local Planning Authority. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard

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surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the Local Planning Authority.
Reason:-
In the interests of the character and appearance of the area.

8. Before the commencement of development, details of any works to the east boundary of the site adjacent to the woodland to the east of the site including ground modelling/levelling/extraction and the erection of walls, fences of other boundary structures shall be submitted to and approved by the Local Planning Authority and the works shall be undertaken in exact accordance with the agreed details.
Reason:-
In the interests of protecting the ecological value of the area and in particular the adjacent woodland.

9. Before the commencement of works, details of any external lighting including security lighting shall be submitted to and approved by the Local Planning Authority and the works shall be undertaken in exact accordance with the agreed details. The details submitted shall include evidence of the lighting being endorsed by a suitably qualified ecologist.
Reason:-
In the interests of protecting the ecological value of the area and in particular the adjacent woodland.

10. Before the commencement of works, details of the types, colours and textures of all finishing materials for the dwelling and garage hereby approved, together with details of all hard-surfacing materials including those for the proposed access road and for the access road retaining wall, shall be submitted to and approved by the Local Planning Authority and the agreed materials shall be implemented.
Reason:-
In the interests of the character and appearance of the area.

11. The development hereby permitted shall not be commenced until full details of both hard and soft landscape proposals, including those for the planted buffer area adjacent to the west boundary of the site, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
- Means of enclosure
Soft landscape details shall include:
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables
Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

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12. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.
Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

13. The development hereby approved shall not be brought into use until the access road/driveway, parking and turning areas shown on the plans are provided and shall be maintained for the purposes of vehicular parking and manoeuvres for the lifetime of the development.
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.

2. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

X

Signed by: Jane Colley
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.
13.