STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr David Byatt
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Stone
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Mr J Jervis
c/o agent

Application no: SMD/2018/0129

Determined on: 31/07/2018

**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:**
Litley Farm, New Haden Road, Cheadle, Staffordshire Moorlands ST10 1UF

**Description of Development:**
Proposed agricultural workers 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 approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
5384-002 site plan 1:500
5384-003 location 1:1250, elevations and floor plan
**Reason**: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Prior to the commencement of development and notwithstanding the submitted drawings details including types and colours along with samples if requested of all roofing

materials, facing materials and hard surfaces shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details as subsequently approved in writing.
**Reason**: In order to ensure the satisfactory appearance of the development and its appropriate relationship to the location and surroundings.

4. Prior to the commencement of development hereby permitted there shall be submitted for the written approval of the Local Planning Authority details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings. The development shall be implemented in accordance with the levels details as subsequently 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 appropriate relationship to the site and adjoining land.

5. Prior to the commencement of development (including any demolition, site clearance, stripping or site establishment) there shall be submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. Such a scheme shall include full details of all new tree, shrub and hedge planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting, together with management proposals for existing trees and hedgerows to be retained along with measures for their protection in the course of the development. The landscaping scheme so approved shall be fully implemented before the end of the first available planting season (November to February inclusive) following the substantial completion and / or first coming into use of the development. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and be maintained for the lifetime of the development.
**Reason**: In the interests of the visual appearance of the development and the amenities of the area.

6. Prior to the commencement of development details of all boundary treatments and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be implemented prior to the first occupation of the development.
**Reason**: In the interests of the visual appearance of the development and the amenities of the area and the Green Belt.

7. All eaves and verges shall comprise brick detailing shall be as indicated in the submitted drawings without incorporating barge boards or box coving.
**Reason**: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

8. No external cowls, vents, ducts flues or extractor equipment whatsoever shall be installed at the premises hereby permitted without the prior written consent of the Local Planning Authority.
**Reason**: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the building and the visual amenities of the area.

9. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and in a bound material for a minimum distance of 5m back from the carriageway edge. The driveway shall thereafter be maintained as such.
**Reason**: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy policies DC1 and T1; in the interests of highway safety.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no additional windows or any other openings shall be installed in any part of the development, unless a further planning permission has been granted on application to the Local Planning Authority.
**Reason**: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the building and the visual amenities of the area.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Classes A; B; C; D; E; F and G and/or Part 2 Classes A; B and C, other than those expressly authorised by this permission, shall be carried out 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 the Green Belt and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

12. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working in the locality in agriculture or in forestry, or a widow or widower of such a person and to any resident dependants.
**Reason**: The site is located in an area of Open Countryside and Green Belt where new residential development is not normally permitted.

**Informative**
Conditions 5 and 6. It is considered essential to retain the existing native species field hedgerow to the roadside. It is suggested that the remaining boundaries of the plot be landscaped by way of new similar native species hedgerow planting along with secure livestock-proof fencing to protect the young plants. To accommodate rising levels along the westerly, southerly and south easterly boundaries the adoption of built retaining structures should be kept to a minimum or avoided and so far as possible natural banking retained.

Condition 6 – hard surfaces. The LPA will look for the hard surfaces within the plot to be kept to an appropriate minimum along the westerly side of the plot to serve the garage site.

The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraphs 186-187.

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**Simon W. Baker** B.Ed MBA MIMSPA
*Chief Executive*

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.

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.