STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Martin Levie
Harrison Wood Architecture
Unit 3 Studio 2 Silverdale Enterprise Centre
Kents Lane
Silverdale
Newcastle under Lyme
Staffs
ST5 6SR

Mr and Mrs Hancock
9 Blythe Road
Forsbrook
ST11 9BU

Application no: SMD/2017/0114

Determined on: 3rd September 2018

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:
9 Blythe Road Forsbrook Staffordshire ST11 9BU

Description of Development:
Outline planning permission with all matters reserved (except access) for proposed new detached dwelling on side garden area of existing dwelling house and new vehicular access

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 appearance of the building(s)
c)-The scale of the building(s)
d)-The landscaping of the site

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 91 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan, Block plan, Location plan.

Reason:- For the avoidance of doubt and in the interests of proper planning.

5. The development hereby permitted shall not be commenced 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.

6. 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 adequate parking within the site curtilage;
- Bound and porous surfacing materials

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

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 the access to the site within the limits of the public highway has been completed.

Reason:- To comply with NPPF pargraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

8. Before the commencement of development, including any demolition, site clearance and stripping, full details of all tree protection measures shall be submitted to and approved in

writing by the Local Planning Authority. Such details shall include full construction specification for a no-dig cellular confinement system for the proposed driveway and parking area, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees to be retained on and adjacent to the application site. Such method statement and protection measures shall specifically include details and timescales to ensure that appropriate measures are implemented to protect tree roots in the vicinity of the site access and driveway from the initial outset of construction activity. Thereafter, the development shall be constructed only in full accordance with details approved under this condition.

Reason:-In order to protect the trees during and after construction in the interests of the character and appearance of the area.

9. 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.

10. Development shall not commence until details of a gas protection scheme has been submitted and agreed in writing with the Local Planning Authority. The ground gas protection scheme shall be sufficient to address a Characteristic 2 situation as defined in: CIRIA C665 (2007) ""Assessing Risks Posed by Hazardous Ground Gases to Buildings"" Prior to the development being first brought into use, a validation report demonstrating completion of the works set out in the approved gas protection scheme shall be submitted to and approved in writing 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

11. 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 recommence until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed 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, buildings and other property and the natural

and historical environment has been submitted to and approved in writing by the Local Planning Authority.

Reson:-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

12. 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 should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should 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

Summary of reasons for granting planning permission

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

Informatives

1. In considering the matter of layout at the reserved matters stage, the applicant is asked to note that the expectation is that the proposed dwelling will not breach the established building line at the rear, in the interests of the character and appearance of the area.

2. The dropped crossing to the site shall be constructed in accordance with Staffordshire County Council requirements and drawings to be submitted. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) http://www.staffordshire.gov.uk/transport/staffshighways/licences/

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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 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.