STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Mr Adam Gregory
Forefront Development Consulting Ltd
4 Ridge House Festival Park
Stoke-on-Trent
ST1 5SJ

Mr Lawlor
2 Hillside Avenue
Endon
ST9 9HH

Application no: SMD/2018/0522

Determined on: 26th November 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:
2 Land Adjacent To Hillside Avenue Endon Staffordshire ST9 9HH

Description of Development:
Proposed detached dwelling to land adjacent to 2 Hillside Avenue, Endon

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 Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby approved shall be carried out in accordance with drawings numbered 18-142-01, 18-142-02 and 18-142-03.
   Reason:- For the avoidance of doubt and in the interests of good planning.

3. 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 paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

4. The development hereby permitted shall not be brought into use until the parking and

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turning area has been provided in accordance with the approved plans. The parking and turning area shall thereafter be retained unobstructed as parking and turning area 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.

5. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor, sited immediately to the rear of the highway boundary and connected to a surface water outfall or drained to SUDS principles, has been submitted to and approved in writing by the Local Planning Authority. The drainage interceptor shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason:- To prevent the flow of water off the site due to the slope of the drive.

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

7. Before the proposed development is brought into use, the existing telecommunications box in the footway shall be relocated or strengthened as required by the statutory undertaker.
Reason:- To ensure a usable access.

8. The first operation to take place on site shall be erection of temporary protective fencing and advisory notices for the protection of the existing trees to be retained in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. These shall be retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.
Reason:- To ensure the health and future wellbeing of the protected Oak is maintained throughout the course of the development hereby approved.

9. The new access hereby approved shall be constructed only by means of vertical excavation at the outer edge of the Root Protection Area of the protected mature Oak tree at the side of the existing dwelling, sufficient only to allow construction of a new retaining wall at the position shown and hereby approved, and shall on no account include any further excavation within the Root Protection Area.
Reason:- To ensure the health and future wellbeing of the protected Oak is maintained throughout the course of the development hereby approved.

10. Within 1 month of commencement of development drainage plans for the disposal of surface water and foul sewage shall have been submitted to and approved in writing

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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.

11. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times:
08:00 – 18:00 hours (Monday to Friday)
08:00 – 13:00 hours (Saturday)
No working is permitted on Sundays and Bank Holidays
In this instance noisy activity is defined as any activity (for instance, 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.

12. During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
Reason: To protect the amenities of the area.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:- To satisfactorily protect he residential amenities of nearby occupiers. To comply with policy DC1 of the Staffordshire Moorlands Core Strategy and the National Planning Policy Framework.

14. Within 1 month of commencement of development a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of hard and soft landscape works, existing and proposed levels, earthworks and surfacing materials. The scheme as approved shall be carried out in the first planting season following completion of the bungalow. Any trees, shrubs or plants that die within a period of five years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced in the first available planting season with others of a similar size and species.
Reason:- To protect the amenities of the area. To comply with policy DC1 of the Staffordshire Moorlands Core Strategy and National Planning Policy Framework.

15. No works to construct the external walls of the dwelling hereby permitted shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved

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in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason:- To ensure the finished appearance of the development respects the character and visual amenities of the area, in accordance with policy DC1 of the Staffordshire Moorlands Core Strategy and National Planning Policy Framework.

Informative

This application has been determined by the Staffordshire Moorlands Planning Applications Committee. The development is considered to constitute sustainable development and as such 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.
13.