STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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Application no: SMD/2018/0557

Determined on: 13th December 2018

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

APPROVAL OF RESERVED MATTERS

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:
Meadow View Land adjacent Well Lane Gillow Heath Staffordshire ST8 6QU

Description of Development:
Approval of reserved matters relating to outline permission SMD/2016/0187 for the demolition of existing garage and proposed new dwelling

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development.

1. The development hereby approved relates solely to the outline permission granted under SMD/2016/0187 and all conditions contained within the outline decision shall remain purtenant to this consent

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: P144-204 Location Plan; P144-200B Existing and Proposed Block Plan; P144-201B Proposed Floor Plans; P144-202A Proposed Elevations; P144-203B Existing and Proposed Street Scene

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

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3. Prior to commencement of development, aamples of all facing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The developement shall be carried out in accordance with the approved details.

Reason:- In the interests of good design and the character and apperance of the street scene, in line with Core Strategy Policies SS1 and DC1 and paragraph 127 of the NPPF

4. Prior to commencement of development, a scheme detailing the nature and depth of foundations of the retaining wall adjoining 19 Well Lane, and any works necessary for the construction phase to protect the integrity of this wall shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:- In the interests of preserving the amenity of No.19 Well Lane during the construction phase of the development

5. The dwelling hereby approved shall not be brought into use until the access, parking and turning areas have been completed in accordance with the approved plans.

Reason:- In the interests of highway safety in line with Core Strategy Policy DC1 and paragraph 108 of the NPPF

6. Prior to commencement of development, plans demonstrating that visibility splays of 43m to the south west, and 30m to the north east can be achieved from a central point on the access, 2,4m behind the carriageway edge, shall be submitted to and approved in writing by, the local planning authority. The visibility splay shall be provided prior to the first occupation of the development.. Thereafter, the visibility splay shall be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.

Reason:- In the interests of Highway Safety in accordance with Core Strategy Policy DC1 and paragraph 108 of the NPPF.

7. The development hereby approved shall not be brought into use until the access drive has been surfaced in a bound and porous material for a minimum distance of 5m back from the site boundary. The surfacing shall thereafter be maintained.

Reason:- In the interests of Highway Safety in accordance with Core Strategy Policy DC1 and paragraph 108 of the NPPF.

8. The development hereby permitted shall not be brought into use until the suface water drainage interceptor, connected to the surface water outfall, has been constructed in accordance with the approved plans

Reason:- In the interests of Highway Safety in accordance with Core Strategy Policy DC1 and paragraph 108 of the NPPF.

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9. 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-E 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 to ensure that adequate private open space is retained within the curtilage of the building.

Informative

1. Should the access crossing to the site require alteration, it shall be constructed in accordance with submitted drawings and Staffordshire County Council requirements. 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/

2. The applicant is reminded of Condition 3 of the Outline Consent which states that “prior to the commencement of development, details of the access, parking and front garden boundary treatment for the existing dwelling Meadow View shall be submitted to and approved in writing by the Local Planning Authority""

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.