STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

.

Mr & Mrs Stoddart
The Curlew Post Lane
Endon
Staffordshire
ST9 9DU

Application no: SMD/2019/0082

Determined on: 13.05.2019

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:
The Curlew Post Lane Endon Staffordshire ST9 9DU

Description of Development:
Variation of condition 2 of SMD/2018/0394 to allow for a proposed new access and closure of existing access

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 carried out in accordance with the following approved plans: Location Plan; Proposed Replacement Dwelling received by the Local Planning Authority 20th June 2018; 1:500 Block Plan, NA-Prop SP; NA-Prop P received by the Local planning Authority 12th February 2019.
   Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

2. As indicated on the proposed elevation plan hereby approved the windows described as follows shall be glazed in obscured glass prior to the first occupation of the development hereby approved:
   • The full length window in the centre of the front elevation

• The window in the side (south east) elevation serving the utility room
• The windows either side of the door in the side elevation (north west) serving the hallway

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) these windows shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in those elevations unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:- In the interests of the privacy and amenity of the adjacent property.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Schedule 2, Part 1 Classes A, B, C, D and 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.

4. Prior to the first occupation of the development hereby approved the garage as shown on the 1:500 Block Plan shall be demolished and removed from the site.
Reason:- In the interests of openness in teh Green Belt.

5. The development hereby approved shall be completed using the following fininshing materials to the walls and roof:
• Walls: K-Rend Silicone thin coat in “Ash White”
• Roof: Sandtoft 20/20 Antique Slate roof tiles
There shall be no variation without the prior written consent of the Local Planning Authority
Reason:- To ensure the external appearance is satisfactory.

6. 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 108; 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 drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the site boundary in accordance with details to be first submitted to and approved in writing by the Local planning authority. The access shall thereafter be surfaced in accordance with the approved details.
Reason:- To avoid a proliferation of redundant access crossings

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8. Within one month of the development hereby permitted being brought into use the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development shall be permanently closed in accordance with plan ref NA-Prop P and the access crossing reinstated as verge.
Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

9. Nothing shall be placed, constructed, planted or allowed to remain within 2.4m of the carriageway edge that is greater than 900mm in height above the adjacent carriageway level on the frontage of the development. Anything that is greater than 900mm in height within 2.4m of the adjacent carriageway shall be immediately removed.
Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

10. The access shall be ungated.
Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

Informative

1. The access crossing to the site from the highway shall be constructed in accordance with the submitted drawing and SCC 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 further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Although the pack refers to dropped crossings, a S184 notice is required for an access leaving the carriageway and crossing highway verge. 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 development hereby permitted is considered to constitute a sustainable form of development and accords with the objectives of the National Planning Policy Framework.

X JColley

Jane Colley

Signed by: JaneC

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.
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