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

Mr Geoff Allen
Geoff Allen Associates
198 Swanlow Lane
Winsford
CW7 1JJ

Mr & Mrs Ekin
Blacksmiths Farm House High Street
Stoke-on-Trent
ST10 2AE

Application no: SMD/2019/0255

Determined on: 25.06.2019

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:
Blacksmiths Farm High Street Kingsley Staffordshire ST10 2AE

Description of Development:
Proposed Detached House and Detached Garage/Log Store and Associated Access and Parking Arrangements

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 permitted shall be carried out in accordance with the following approved plans: R-51-1A Block and Site Plan; R-51-2B Proposed House and Garage Plans and Elevations; R-51-3 Proposed Garage and Log Store Plans and Elevations; THL-0661-3 Tree Protection Plan

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. The development hereby permitted shall no commence until samples and colours of all facing, roof tiles and hard surfaces materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is of a high quality in accordance with Policy DC1 of the Core Strategy and Paragraph 127 of the NPPF

4. Prior to commencement of development (including any demolition, site clearance, site stripping or site establishment) temporary tree protection barriers/fencing and advisory notices for the protection of the existing trees to be retained shall be erected, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and as set out in the Tree Heritage Tree Protection Plan ref THL-0661-3 submitted with the application. Thereafter, the fencing shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of preserving all trees withinthe site including those covered by a Tree Preservation Order (TPO) and associated root protection areas in line with Policy NE1 of the Core Strategy, Policy NE2 of the Emerging Local Plan, and relevant paragraphs within Chapter 15 of the NPPF

5. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), unless otherwise agreed by the Local Planning Authority and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.

Reason:- In the interests of preserving and maintaining ecological and landscaping features on site in accordance with Policy NE1 of the Core Strategy, Policy NE2 of the Emerging Local Plan, and relevant paragraphs within Chapter 15 of the NPPF

6. All trees shown to be retained on the approved Tree Protection Plan (Drawing Ref: THL-0661-3) shall not be removed under any circumstances without the prior consent of the Local Planning Authority

Reason:- In the interests of preserving the residential amenity for occupiers in existing residential properties in line with Policy DC1 of the Core Strategy and paragraph 127 of the NPPF

7. The development hereby approved shall not be brought into use until the access to the site has been widened in accordance with drawing number R/51/1A

Reason:- In the interests of highway safety in accordance with Policy T1 of the Core Strategy and Paragraph 108 of the NPPF

8. The development hereby approved 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, in accordance with details approved under Condition 3, for a minimum distance of 10m back from the site boundary. The access shall thereafter be maintained in accordance with approved details

Reason:- In the interests of highway safety in accordance with Policy T1 of the Core Strategy and paragraph 108 of the NPPF

9. The development hereby approved shall not be brought into use until details of the 2.4m x 30m visibility splay to the south have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 900mm above the adjacent carriageway level and provided in accordance with the approved plan prior to the development being brought into use

Reason:- In the interests of highway safety in accordance with Policy T1 of the Core Strategy and paragraph 108 of the NPPF

10. The development hereby approved shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the lifetime of the development

Reason:- In the interests of highway safety in accordance with Policy T1 of the Core Strategy and paragraph 108 of the NPPF

11. The development hereby approved shall not be brought into use until details of the surface water drainage interceptor to be provided across the access immediately to the rear of the highway boundary connected to a surface water outfall or on SUDS principles, have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details.

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

Informative

In line with the requirements of the National Planning Policy Framework (NPPF) the Council has worked pro-actively and constructively with the applicant to address outstanding planning issues to achieve a sustainable form of development.

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X

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.

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