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

Sammons Architectural
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Application no: SMD/2019/0268

Determined on: 12.07.2019

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:
Greenacres, Ash Bank Road, Werrington Staffordshire ST9 0DT

Description of Development:
Application for Outline Planning Permission with some matters reserved (except Access and Layout) for erection of dwelling

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 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last date of the reserved matters to be approved, whichever is later.

Reason:- The time limit condition is imposed in order to comply with the requirements of section 92 of the Town and Country Planning Act 1990.

2. An 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 and thereafter the development shall only be carried out in accordance with the approved details

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

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3. Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced and thereafter the development shall only be carried out in accordance with the details as approved

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Articles 4 and 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

4. The development hereby permitted shall be carried out in accordance with the following approved plans: 2019-2390-03A Location and Block Plan; 2019-02390-02C Proposed Site Plan

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

5. Prior to commencement of development details of the external materials, including hard surfacing to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved details

Reason:- To ensure that the external appearance of the development is appropriate to its Surroundings

6. Prior to commencement of development, details of the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the scheme has been implemented in accordance with the approved details

Reason:- In the interests of privacy and visual amenity

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 the bound material which has been agreed by the Local Planning Authority under Condition 5. The access shall thereafter be surfaced in accordance with these approved details

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

8. The development hereby permitted 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 such for the limetime of the development

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

9. In the event that contamination, including surface coal measures, is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. In such an event where contamination is found, no further development shall commence until an initial investigation and risk assessment has been completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

   If the initial assessment indicates that potential risks exists to any identified receptors, development shall not commence until the 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 prepared, and is subject to approval in writing from the Local Planning Authority.

   Following completition of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority

Reason:- In the interests of public amenity

10. 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 shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto the site. The methdology 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 by the Local Planning Authority

Reason:- In the interests of public amenity

11. Any waste associated with the demolition or construction shall not be burnt on site but shall be kept securley for removal to prevent escape into the environment

Reason:- To protect the residential amenities of the area

12. Unless prior permission has been obtained in writing from the Local Planning Authority, all construction and delivery activities shall be restricted to the following times:

   - 08:00 - 18:00 hours (Monday to Friday);
   - 08:00 - 13:00 hours (Saturday);
   - No working on Sundays or Bank Holidays

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Reason:- In the interests of protecting residential amenity

Informative

The Local Planning Authority have worked pro-actively with the applicant to address outstanding planning issues in order to achieve a sustainable form of development, in line with parapgraph 38 of the NPPF

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 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.