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

Ms Frances Forward
Haus Ltd
4 Raymond Avenue
Canterbury
ST1 3JZ

Mr & Mrs Sutton

Application no: SMD/2019/0249

Determined on: 12/08/2019

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:
Land Adjacent 185 Cheadle Road Cheddleton Staffordshire

Description of Development:
Erection of a new three bedroom dwelling

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 approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

Location Plan
21836/PL02 Revision C dated 5.8.19
21836/PL03 Revision C dated 5.8.19
21836/PL04 Revision C dated 5.8.19
21836/PL05 Revision B dated 5.8.19

21836/PL06 Revision D dated 11.8.19
21836/PL07 Revision E dated 5.8.19
21836/PL08 Revision C dated 5.8.19
21836/PL09 Revision C dated 23.7.19
21836/PL10 Revision C dated 5.8.19
21836/PL11 Revision C dated 22.7.19
21836/PL12 Revision D dated 11.8.19

Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. The boundary treatments shall be in accordance with PL02B unless otherwise approved in writing by the Local Planning Authority.
Reason:-
In the interests of the visual and residential amenities of the area.

4. Before any works above damp proof course level are carried out, details of the finishing materials for the external walls, window cills and headers, pitched roof, windows, external doors, the hard-surfaced areas of the site and the boundary treatments, in terms of their type, texture and colour shall be submitted to and approved in writing by the Local Planning Authority and the finishing materials used in the development shall be in exact accordance with the approved details.
Reason:-
In the interests of the character and appearance of the area.

5. Before the development is brought into use, parking and turning space for at least three vehicles shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The parking and turning area shall be maintained as such unobstructed throughout the life of the development.
Reason:-
In the interests of highway safety.

6. Before the commencement of works, details of the finished floor levels above AOD of the dwelling hereby approved, in relation to existing ground levels within the site above AOD shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in exact accordance with the approved details.
Reason:-
In the interests of the visual and residential amenities of the area.

7. 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 additional doors, windows or any other openings shall be installed in any part of the development, without prior written consent from the Local Planning Authority.
Reason:-
To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

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8. 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 Class(es) A to F and Part 2 Class(es) A and C 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 protect the residential amenities of neighbouring residents.

9. The front boundary stone wall shall be modified or re-built in exact accordance with drawing PL02B before the development is brought into use.
Reason:-
In the interests of the character and appearance of the area.

10. The first action on commencement of development, prior to any further action (including any site clearance, site stripping, site establishment, and formation or improvement of site access) shall be the erection of temporary tree protection barriers 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, and as set out in the Arboricultural Impact Assessment and Tree Protection Method Statement Ref: FWTC/250/AIA dated 7th April 2019 submitted with the application hereby approved, and the barriers shall be retained in position for the duration of the period that development takes place unless otherwise agreed in writing by the Local Planning Authority. 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 order to ensure TPO trees on site are protected from the development in the interests of the character and appearance of the area.

11. Within two months of the commencement of development (including any site clearance, site stripping, site establishment, and formation or improvement of site access) a comprehensive landscaping scheme shall be submitted to the Local Planning Authority and approved in writing. Such a scheme shall in particular make provision for the introduction of suitable trees at/near the western part of the site fronting Cheadle Road, in order to contribute to maintaining the existing character of the area and to mitigate for trees which have previously had to be removed from the site (not in connection with the application hereby approved). The submitted landscaping scheme shall include full details of all proposed new trees, shrubs and other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme once approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are

damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

12. 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:-
In the interests of highway safety.

13. 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 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 and maintained in accordance with the approved details.
Reason:-
In the interests of highway safety.

14. Any gates shall be located a minimum of 5m rear of the highway boundary and shall open away from the highway.
Reason:-
In the interests of highway safety.

15. Before the proposed development is brought into use the access shall be constructed with a gradient not exceeding 1 in 10 for a distance of 4.5 metres from the rear of the highway boundary in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
Reason:-
In the interests of highway safety.

16. The development hereby permitted 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 prior to the development being first brought into use.
Reason:-
In the interests of highway safety.

Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. It should be noted that trees T1, T2, T3, and T6 as noted on the tree survey report accompanying the planning application hereby approved are protected by Tree Preservation Order. The planning permission hereby granted does not authorise any work to these trees, and specific consent following separate application to the local planning authority under protected tree procedures would be required to carry out any such work, other than where

specified as exempt under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. The dropped crossing to the site shall be constructed in accordance with the submitted drawing no 21836/PL02 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. 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/

4. There is a pedestrian refuge in the A520 close to the proposed access which is still not shown on the submitted drawing. As its precise location is not shown, the refuge may require relocation. If so, this will need to be done at the applicants cost under a works agreement with Staffordshire County Council and prior to the construction of the dropped crossing. Details available at the link above. It would be better to establish at an early stage whether or not the refuge will require relocation.

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.