STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr P. Ashton
7 Conway Grove
Cheadle
Staffordshire
ST10 1QG

Application no: SMD/2019/0370

Determined on: 21/08/2019

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:
7 Conway Grove Cheadle Staffordshire ST10 1QG

Description of Development:
Proposed erection of detached 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 accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
1608-AL01B
1608-AL02
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. The external facing and roofing materials shall be as stipuilated in the submitted details and there shall be no variation without the prior consent in writing of the Local

Planning Authority.
Reason: To ensure that the works harmonise with the existing development.><To ensure that the works are in keeping with adjacent development.>

4. All noisy activities shall be restricted to the following times of operation:
   - **08:00 - 18:00 hours (Monday to Friday);**
   - **08:00 - 13:00 hours (Saturday)**
   - **No working is permitted on Sundays or Bank Holidays.**

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during anti social hours.

5. 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. Development shall not continue further until an initial investigation and risk assessment has been completed in accordance with a scheme first agreed in writng by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not continue until a detailed remediation scheme to bring the site into 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 approved in writing by the local planning authority. The remediation scheme shall then be fully implemented in its approved form in the course of the development. Following completion 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 produced to the satisfaction (by approval in writing) of the Local Planning Authority.
Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

6. 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 site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed as determined by the agreed methodology 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: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

7. The development hereby permitted shall not be brought into use until the parking and turning areas shown on the approved plans 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 life of the development.
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

8. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the access on the plot boundary unless otherwise agreed in writing by the Local Planning Authority.
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety. To prevent increased surface water runoff being ultimately deposited on the highway in the interests of highway safety.

9. 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 material for a minimum distance of 5m back from the carriageway edge 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 comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

10. 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; B; C; D; E and F and/or Part 2 Classes A; B and C, other than those expressly authorised by this permission, 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 or shared amenity space is retained within the curtilage of the building.

Informatives

1. Standing Advice for Coal Authority Mining Risk valid from 1st January 2019 until 31st December 2020: the site is within a Development Low Risk Area - the proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

2. A public footpath right of way passes through / alongside the site and this must not be obstructed at any time during the development and must remain available for public use on foot at all times both during development and on completion. Should temporary closure or diversion be necessary to allow the works to proceed then application should be made to the Staffordshire County Council Public Rights of Way officer. Contact: Rights of Way, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford ST16 2DH. Email: rightsofway@staffordshire.gov.uk
Tel: (01785) 277244 or 277247

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The granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant is advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

3. Attention is drawn to the requirements of The Party Wall Etc Act 1996 in relation to development close to the boundary of the application site.

4. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraph 38.

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.

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.