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

Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr Hudson
100 Congleton Road
Biddulph
ST8 6EG

Application no: SMD/2019/0319

Determined on: 29.08.2019

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:
100 Congleton Road Biddulph Staffordshire ST8 6EG

Description of Development:
Single Storey Dwelling on land associated with No.100 Congleton Road, Biddulph

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: 1722-PL01A Site Plan; 1722-03D Proposed Plans; 1722-04 Proposed Drainage Plans.

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 not commence until details of types and colours of all facing materials and hard surfaces including the access driveway 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 satisfactory in accordance with Policy DC1 of the Core Strategy.

4. The development hereby permitted shall not commence until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of any of the buildings on the site.

Reason:- To ensure that the development has an acceptable appearance and Policy DC1 of the Core Strategy.

5. No development shall commence until a Habitat Enhancement Scheme has been submitted to and agreed in writing by the Local Planning Authority, which shall inlcude a timetable for its implementation. The development shall be carried out in accordance with the approved details.

Reason:- In order to ensure that the development offers a nett gain in overall biodiversity enhancement, in accordance with Policy NE1 of the Staffs Moorlands Core Strategy and Policy NE2 of the Emerging Local Plan.
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6. All works shall be carried out in accordance with the recommendations in section 5 of the Ecology report by Absolute Ecology July 2019.

Reason:- In the interests of biodiversity and in accordance with Policy NE1 of the Staffs Moorlands Core Strategy and Policy NE2 of the Emerging Local Plan.

7. Unless otherwise agreed in writing by the Local Planning Authority, development shall be restricted to the following times:

   - 08:00 - 18:00 Monday to Friday
   - 08:00 - 13:00 Saturdays
   - No working is permitted on Sundays or Bank Holidays

Reason:- In the interests of public amenity

8. 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.

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Reason:- In the interests of protecting veteren trees, woodland and hedgerow in line with Policy NE1 of the Staffs Moorlands Core Strategy and Policy NE2 of the Emerging Local Plan

9. Prior to the commencement of development, (including any demolition, site clearance, site stripping or site establishment) temporary tree protection fencing and advisory notices for the protection of the existing off-site trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, shall be retained in position for the duration of the period that development takes place, unless otherwise agreed 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 by the LPA.

Reason:- In the interests of protecting veteren trees, woodland and hedgerow in line with Policy NE1 of the Staffs Moorlands Core Strategy and Policy NE2 of the Emerging Local Plan

10. Prior to commencement of development (including any site clearance, site stripping, site establishment or formation of temporary or permanent site access) full details of all tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include full construction specification for a no-dig cellular confinement system for the proposed driveway and parking area where this is within the extent of root protection areas of adjacent off-site trees derived in accordance with British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, together with an arboricultural method statement setting out working methods and special protection measures including temporary ground protection measures for the avoidance of harm to existing trees adjacent to the application site during the course of construction. Such method statement and protection measures shall specifically include details and timescales to ensure that appropriate measures are implemented to protect tree roots in the vicinity of the site access and driveway from the initial outset of any construction activity. Thereafter, the development shall be constructed only in full accordance with details approved under this condition

Reason:- In the interests of protecting veteren trees, woodland and hedgerow in line with Policy NE1 of the Staffs Moorlands Core Strategy and Policy NE2 of the Emerging Local Plan

11. Prior to commencement of development (including any site clearance, site stripping, site establishment or formation of temporary or permanent site access) a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specifically make provision for the planting of new mixed native species hedgerow incorporating standard trees to the north-east and south-east boundaries of the site. The landscaping scheme so submitted shall include full details

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of all new trees, shrubs and other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so 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

Reason:- In the interests of protecting veteren trees, woodland and hedgerow in line with Policy NE1 of the Staffs Moorlands Core Strategy and Policy NE2 of the Emerging Local Plan

12. The development hereby approved shall not be brought into use until the access to the site has been widened in accordance with the approved drawing PL01A

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

13. The development hereby permitted shall not be brought into use until details of the 2.4m x 35m visibility splay to the north east 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 be provided in accordance with the approved plan prior to the development being brought into use

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

14. 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 parking and turning areas for the life of the development

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

15. The development hereby approved shall be carried out in full accordance with the surface water drainage interceptor as shown on the drainage plans drawing PL04, to be connected to a surface water outfall or draining on SUDS principles.

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

16. 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 material for a minimum distance of 5m back from the site boundary.The

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access shall thereafter be surfaced in accordance with the approved details

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

Informative

1. The Local Planning Authority have worked pro-actively and postively with the applicant to address outstanding planning issues in order to achieve a sustainable form of development, as per the requirements of paragraph 38 the National Planning Policy Framework 2019

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.

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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.