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

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

Mr & Mrs McDermott

Application no: SMD/2019/0397

Determined on: 20th September 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 To Prospect House Farm Sutherland Road Longsdon Staffordshire

Description of Development:
Erection of Single Dwelling and Detached Garage resubmission of SMD/2018/0788

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 Section 51 of the Planning and Compulsory Act 2004

2. The development shall be carried out in accordance with the approved plans 2018-2381-08A Location Plan and Block Plan; 2018-2381-07A Proposed Site Plan; 2018-2381-06 Floor Plans and Elevations Plan, unless otherwise agreed in writing by the Local Planning Authority.

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

3. Prior to commencement of development samples of all facing and hard surfacing materials will be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

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

4. Prior to commencement of development, an Ecological Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority and shall include the following details:

a) Removal of walls by hand and careful removal of vegetation to avoid potential impacts on great crested newts. If great crested newts are located work shall stop and Natural England must be contacted for advice. (A license may be required form Natural England to enable work to continue.)

b) To avoid impacts on badgers trenches or other excavations left open for more than 12 hours should be provided with an escape ramp (simply a plank of wood with no step at the base, reaching up to ground level or slightly above) for any wildlife to be able to escape.

c) Works shall be timed outside the bird nesting season between 1st March and 31st August inclusive. If this is not possible before works are undertaken a check for breeding birds shall be carried out by a suitably qualified ecological consultant. If nesting birds are located work shall cease until nesting is completed and fledged young have departed the site.

d) A detailed landscaping plan including vegetation removal and a planting scheme. Landscaping shall advocate the use of native species that will have positive biodiversity benefits.

e) 32m of native hedge planting along the eastern boundary of the development. Hedge plants should be 40-60cm transplants of locally common native species and of British provenance (preferably local) and shall comply to British Standard 3936. Hedgerows shall be planted with 6 plants per metres in two staggered rows, about 25cm apart with plants at approximately 45cm in each row. Hedgerow plants shall be protected with a hedge guard and secured by a cane or stake. Full details including methods of establishment, remedial replacements, weed control, plus long-term aftercare, shall be provided

f) Provision of new bat roosting provision of bat roosting opportunities in the new buildings. Full details and the proposed locations shall be provided.

g) The biodiversity value of the development shall be enhanced by the provision of features for use by nesting house sparrows (Red listed RSPB species of conservation concern).

h) The design and location of lighting shall not impact on foraging or commuting

bats and minimise disturbance to other wildlife.

Reason: The development shall be carried out in complete accordance with the Ecological Construction Management Plan

5. Prior to the commencement of development, a Construction and Environmental Method Statement shall be submitted to and agreed in writing with the Local Planning Authority. The Statement shall include the following details:

   i. the hours of work shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 – 18:00hrs Monday – Friday and 08:00-13:00hrs on Saturdays, nor at any time on Sundays and Bank Holidays

   ii. the responsible person (e.g. Site Manager) who could be contacted in the event of a complaint

   iii. a scheme to minimise dust emissions arising from the construction activities on site.

   iv. any waste material associated with the demolition or construction shall not be burnt on site and shall be kept securely for removal to prevent escape into the environment

   v. a scheme for recycling/disposal of waste resulting from the construction works;

   vi. the parking of vehicles of site operatives and visitors

   All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to and deviation from it.

Reason:- In the interests of highway safety and to preserve the residential amenity of local occupiers

6. The access shall be ungated for the lifetime of the development in accordance with the approved Site Plan (Ref: 2018-2831-07 Rev A)

Reason:- In the interests of highway safety

7. 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

8. No development shall commence until details of the 2.4m x 31m visibility splay to the north have been submitted to and approved in writing by the Local Planning Authority.

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The visibility splay shall be provided in accordance with the approved plan prior to the development being brought into use and shall thereafter be kept free of all obstructions to visibility over a height of 900mm above the adjacent carriageway level

Reason:- In the interests of highway safety

9. No objects shall be placed, constructed, planted or allowed to remain within 2.4m of the carriageway edge that is greater than 900mm in height above the adjacent carriageway level on the frontage of the development between the proposed access and the southern boundary.

Reason:- In the interests of highway safety

10. 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. The surfacing shall thereafter be retained and maintained.

Reason:- In the interests of highway safety

11. 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

12. The ground floor window serving the W.C and first floor windows the ground floor WC; the en-suite bathroom in the side elevation of the first floor; and the rear Bathroom shall be obscure glazed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- In the interests of preserving residential amenity

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.

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Reason:- In the interests of preserving residential amenity

14. No development shall commence on site until a satisfactory drainage scheme for the discharge of surface water and foul drainage has been submitted to and agreed in writing by the Local Planning Authority. The approved drainage scheme shall be implemented in full prior to the first occupation of the development hereby permitted.

Reason:- In the interests of protecting public amenity.

Informative

The Local Planning Authority have worked pro-actively with the applicant to overcome outstanding planning issues in order to achieve a sustainable form of development, as required by the National Planning Policy Framework.

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.
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