STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Alan Yarwood
Roger Yarwood Planning Consultant Ltd.
Wheatley Cottage Wheatley Road
Matlock
DE4 2FF

Mr & Mrs Price
Olive Tree Park Uttoxeter Road
Checkley
ST10 4NA

Application no: SMD/2019/0436

Determined on: 18th October 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:
Olive Tree Park, Uttoxeter Road, Checkley, Staffordshire, ST10 4NA

Description of Development:
Extension to amenity block.

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 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. Notwithstanding the detail shown on any plan submitted with the application, the development permitted and described above shall only be carried out in complete accordance with the drawn and written details that are shown on the revised 'LAYOUT' plan and the revised 'PROPOSED PLANS' 8/10/19 that were both submitted on the 8th October 2019.

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 permitted and described above shall only be carried out using red facing bricks and roof tiles as the external facing materials that match those of the existing building.

Reason:- To ensure a satisfactory external appearance.

4. The development permitted and described above shall only be used by and available to the following: Mr. David and Johanna Price, Pacer Price, Annemarie Neddick, John Curtis Price, Ethil Price, and their resident dependents, who shall only continue to use and occupy the site under the terms and conditions of the planning permission ref. SMD/2017/0820.

Reason:- To tie the use of the builidng to that of the site which can only be used by the applicant and his family because their personal need is a matter of significant weight in circumstances where the development would not normally be acceptable.

5. When the devlopment permitted and described above ceases to be used and the site is no longer occupied by those named in condition 4 above, the whole of the brick utility building (including the original building and the parts that have been extended as a result of this planning permission) shall be removed and the land restored to its condition before the development took place.

Reason:- To tie the use of the building to that of the applicant and his family, because their personal need is a matter of significant weight in circumstances where the development would not normally be acceptable, and to ensure that the character and appearance of the landscape is restored if they cease to need and use the land.

6. Throughout the life of the development, the site shall be set out in accordance with the attached 'LAYOUT' plan. There shall at no time, without the written approval of the local planning authority, be any alterations made to the site layout, including any introduction of additional:
o external lighting at the site;
o alterations to the access to the site;
o alterations to the internal layout of the site;
o or provision made for the siting of caravans, parking, turning and ancillary buildings or structures.

Reason:- To protect the character and appearance of the landscape in this locality and the amenity of adjacent residents.

Informative

1. The application is for a sustainable form of development which complies with the development plan and the provisions of the National Planning Policy Framework. In the spirit of paragraph 38 of the NPPF amendments were secured to reduce the impact of the scheme.

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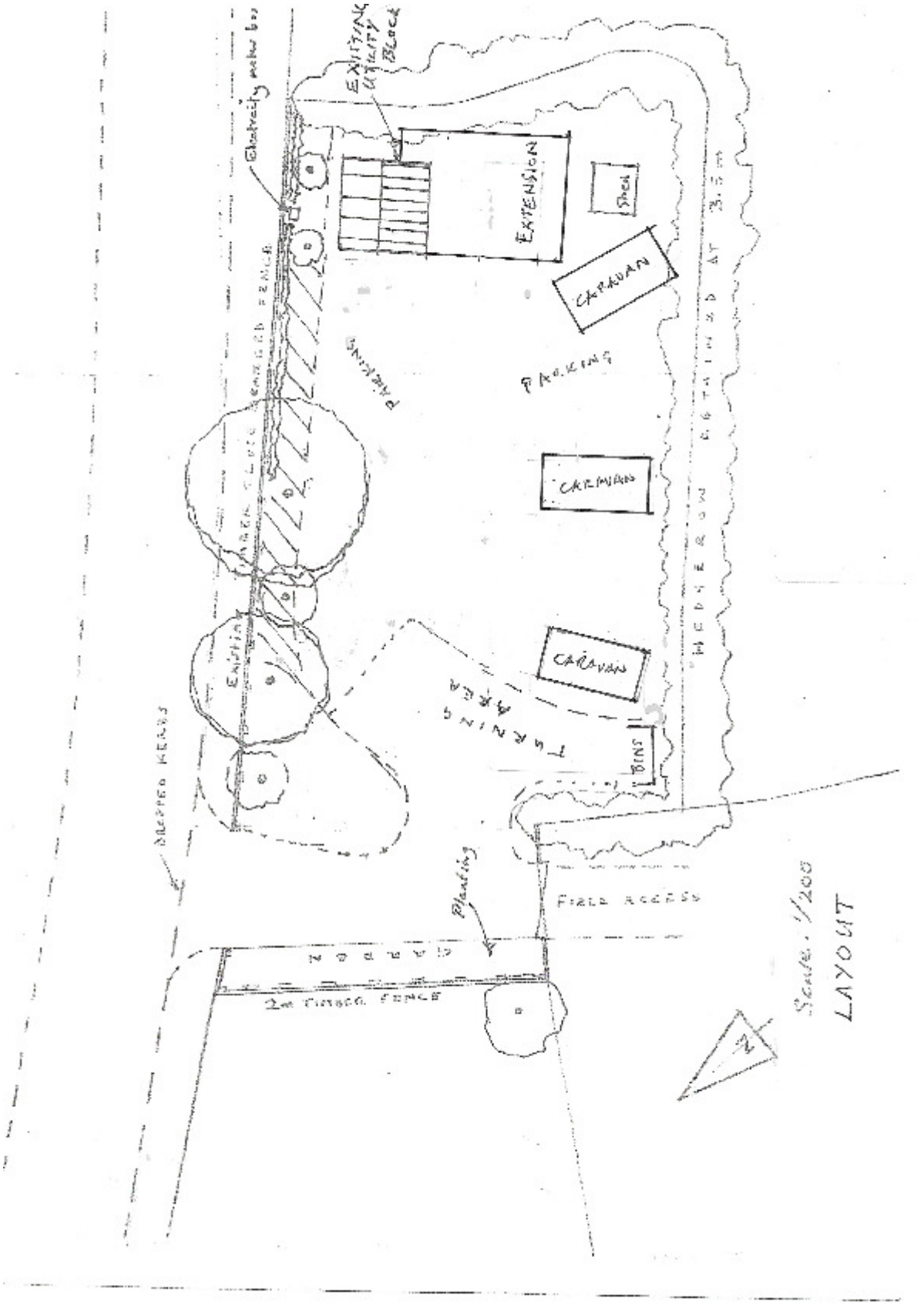
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X B.J. Haywood

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.