STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Chief Executive

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Mr Bull
c/o Agent

Application no: SMD/2019/0005

Determined on: 24th 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:
Land Off Black Lane Whiston Staffordshire Moorlands

Description of Development:
Proposed erection of 4 dwellings

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:
Location Plan A3496 rev A
Plan of proposed scheme 1118/1; 1118/2; 1118/3
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. Notwithstanding the submitted details and condition 2 above the external facing materials shall be natural stone and the roofing materials shall be Staffordshire blue clay tiles and there shall be no variation without the prior consent in writing of the Local Planning

Authority.
Reason: To ensure that the works are in keeping with adjacent development.

4. Notwithstanding the submitted details and condition 2 above revised details shall be submitted to show the inclusion of a chimney stack for each dwelling to be approved in writing by the Local Planning Authority and the development shall be completed in accordance with the design details as subsequently approved in writing and thereafter be retained for the life of the development.
Reason: To ensure that the works are in keeping with adjacent development.

5. The development shall be implemented in accordance with the levels details as submitted in drawings S190606150 70 and S190606150 71 read in conjunction with levels survey 32660_T_REV1. There shall be no variation in these levels without the written approval of the Local Planning Authority.
Reason: In order to ensure the satisfactory appearance of the development and its appropriate relationship to the site and adjoining land.

6. The development shall be carried out at all times in accordance with the submitted construction ecological management plan May 2019 and in accordance with the recommendations contained at section 6 of the Great Crested Newt Method Statement Report April 2019.
Reason: in the interests of biodiversity and protected species

7. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

8. All eaves and verges shall be formed from pointed stone work up to the intersection with the roof slopes to match the existing structure without recourse to box work or barge boards.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

9. All rainwater goods shall be of metal or wood to a profile to be submitted to and agreed in writing by the Local Planning Authority prior to installation.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

10. No tree within the site shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped, without the prior written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
Reason: In the interests of the visual appearance of the development and the amenities of the area.

11. Within three months of the commencement of development details of all boundary treatments and hard landscaping, vehicular access, surfacing, parking and turning areas and bin storage shall be submitted to the Local Planning Authority for written approval and

prior to the first occupation of the development shall be completed in accordance with the design details as subsequently approved in writing and thereafter be retained for the life of the development.
Reason: In the interests of the visual appearance of the development and the amenities of the area; to comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

12. Notwithstanding the submitted details and condition 2 above the landscaping layout of the development shall be amended to eliminate the section of driveway which extends generally northerly beyond the pull-in parking spaces proposed to serve 4 The Plain.
Reason: In the interests of the visual appearance of the development and the amenities of the area.

13. The development shall take place incorporating a minimum of two purpose-made bat roost boxes on or integral to the building walls and positioned in accordance with the guidance specific to the product. The bat boxes shall be installed prior to the first coming into use of the development.
Reason: in the interests of maintaining biodiversity and to safeguard the population of European Protected Species.

14. At any time during and following the completion of the development all exterior lighting installations shall be erected only in accordance with the protocols contained in the Institute of Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and the Bat Conservation Trust’s “Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting” (2014).
Reason: to minimise disturbance by artificial light to protected species including bats and minimise sky-glow across the site and in the interests of the visual appearance of the development and the amenities of the area.

15. In the event that contamination, including surface coal measures, is found at any time when carrying out the approved development it shall be reported in writing immediately to the Local Planning Authority. Development shall not continue further until an investigation and risk assessment has been completed in accordance with a scheme which shall have been agreed in writing with 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 further until a detailed remediation scheme to bring the site to 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 has been agreed in writing by the local planning authority. All remediation measures identified in the agreed and approved remediation scheme shall be implemented prior to bringing the development into first use, and a verification report that demonstrates the effectiveness of the remediation carried out shall have been produced, and shall be approved in writing by the Local Planning Authority prior to first occupation of the development.

16. 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; F and G and Part 2 Classes A and B 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, to ensure that adequate private or shared amenity space is retained within the curtilage of the building and to protect the Green Belt.

17. Prior to any works taking place within 5m of the well shown on the approved site plan an investigation / recording report shall be submitted to and agreed in writing by the Local Planning Authority.
Reason: To record any possible archaeological features of interest.

Informatives

1) Coal Authority Development Low Risk Area - Standing Advice: 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. Standing Advice valid from 1st January 2019 until 31st December 2020.

2) All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

3) The application has been determined in accordance with Policies: SS1; SS1a; SS2; SS4; SS6c; SD1; SD4; H1; DC1; DC3; C1; R1; R2; NE1 and T1 of the Core Strategy Development Plan and the NPPF.

4) This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

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.