STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

CTD Architects
Clerk Bank House
Clerk Bank
Leek
Staffordshire Moorlands
ST13 5HE

Mr Lycett
Chestnut Cottage
The Green
Lower Leigh
Staffordshire
ST10 4ST

Application no: SMD/2019/0440

Determined on: 1st November 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:
Fair View Eaves Lane Armshead Staffordshire ST2 8NA

Description of Development:
Demolition of existing dwelling & outhouse with proposed replacement 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 permitted shall be carried out in accordance with the following approved plans: Dwg Nos. AL50 Site Location Plan, AL51 Site Block Plan 'as existing', AL54 Rev A Ground Floor Plan 'as proposed', AL55 Rev A Elevations 'as proposed', AL61 Rev A 3D View 1, AL62 Rev A 3D View 2, AL63 Rev A 3D View 3, AL64 3D View 4 and AL65 3D View 5.

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. Prior to the construction of any external wall or installation of any hard surface, samples of the materials to be used in the construction of the external walls, roofing materials and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory.

4. Prior to the installation of any windows or doors, details of the design and materials of all proposed new windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The windows and doors to be used in the development hereby permitted shall be timber. Development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory.

5. Prior to the installation of any rooflights, details of the make/model, colour and sizes of all rooflights shall be to submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.

Reason:- To ensure that the external appearance of the development is satisfactory.

6. Prior to the first occupation of the development hereby permitted full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
- Means of enclosure
- Hard surfacing materials
Soft landscape details shall include:
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason:- To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

7. The landscape scheme shall be implemented in accordance with the approved timetable and details and shall subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.
Reason:- To ensure the appropriate landscape design and in the interests of the visual

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amenities of the area.

8. Prior to the first occupation of the development hereby approved, a scheme for all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the positions, design, materials and type of boundary treatment to be erected. The approved scheme of boundary treatment shall be completed before the dwelling hereby permitted is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason:- In the interests of residential amenity and the appearance of the area.

9. 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 Schedule 2, Part 1, Classes A, B, C, D, E, F, G and H shall be carried out within the site unless a further planning permission has first been granted on application to 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 open space is retained within the curtilage of the building.

10. Precautionary measures for Bats shall be implemented for the demolition works as detailed in the Bat Survey Report by Apex Ecology, dated September 2018. A demolition method statement shall be prepared, detailing the requirements identified and contractors/builders undertaking the work shall adhere to those requirements at all times.

Reason:- In the interests of protected species and habitats in accordance with Policy NE1 of the Core Strategy.

11. No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.

Reason:- To mitigate against the loss of existing biodiversity and nature habitats.

12. During construction works, any excavations left open overnight shall be provided with a mammal ladder to allow any hedgehogs (and other mammals) a means of escape.

Reason:- To mitigate against the loss of existing biodiversity and nature habitats.

13. Prior to the first occupation of the development hereby approved, a detailed scheme for biodiversity enhancements for the site, including provision of bird nesting boxes, bat boxes and new landscaping incorporating wildlife friendly planting, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved scheme and all features shall be retained in

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that manner thereafter.

Reason:- To mitigate against the loss of existing biodiversity and nature habitats.

14. The development hereby permitted shall not be commenced until details of visibility improvement comprising nothing to be placed within 2m of the carriageway edge that is greater than 900mm in height 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 900 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development commencing.

Reason:- In order to comply with Paras.108-110 of the NPPF 2018 and in the interest of Highway Safety.

15. The development hereby permitted shall not be brought into use until the parking area has been provided in accordance with the approved plans.

Reason:- In order to comply with Paras.108-110 of the NPPF 2018 and in the interest of Highway Safety.

16. 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 site boundary in accordance with the approved plans. The surfacing shall thereafter be maintained.

Reason:- In order to comply with Paras.108-110 of the NPPF 2018 and in the interest of Highway Safety.

Informative

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraph 38 of 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.
13.