STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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

C/o Agent

Application no: SMD/2019/0451

Determined on: 20.12.2019

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 At Rear Of Former St Johns School Mill Lane Wetley Rocks Staffordshire

Description of Development:
Proposed constuction of replacement access road

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. The development permitted and described above shall only be carried out in complete accordance with “Site Layout Plan and Section” Drg. No. 2010-1714-37 Rev B

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 be brought into use until the visibility splays shown on the approved plan have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason: In the interests of highway safety

4. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
i) a site compound with associated temporary buildings:
ii) the parking of vehicles of site operatives and visitors;
iii) loading and unloading of plant and materials;
iv) storage of plant and materials used in constructing the development;
v) wheel wash facilities.

Reason: In the interests of highway safety

5. No works on the highway shall be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority:
- construction detail of the bellmouth
The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

Reason: In the interests of highway safety

6. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site access made redundant as a consequence of the development, to footway with full height kerb, which shall include the access crossing between the site and carriageway edge have been first submitted to and approved in writing by the local planning authority. The existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height kerb in accordance with the approved plans. Before the proposed development is brought into use, the length of wall demolished as part of the superceeded previous approved road junction location shall be reconstructed to match the existing wall.

Reason: In the interests of highway safety

7. The planting scheme shown on Sammons “Site Layout Plan and Section” Drg. No. 2010-1714-37 Rev B 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.

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Reason: In the interests of visual amenity

8. The first action on commencement of development, prior to any further action (including any site clearance, site stripping or site establishment) shall be the erection (within the application site only) of temporary tree / hedge protection barriers and advisory notices for the protection of the existing trees to be retained at St John's Church, and the existing hedgerow to the northern site boundary in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and this shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority (LPA). 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 in writing by the LPA.

Reason: In the interests of visual amenity

9. Prior to any works taking place to construct the new boundary wall to the A520, structural calculations and construction details for the retaining wall element supporting the highway shall be submitted to and agreed in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved details.

Reason: In the interests of highway safety

Informative

1. This permission should be read in conjunction with the Unilateral Undertaking dated 19th December 2019

2. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

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.