STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Malcolm Sales
Malcolm Sales
Churchill Suite Lulworth House
Cheadle
Staffordshire
ST10 1AR

Mr Saxon
24 Colleridge Drive
Cheadle
Staffordshire
ST10 1XA

Application no: SMD/2019/0475

Determined on: 15th January 2020

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 Stonewall Foxt Road Foxt Staffordshire ST10 2NH

Description of Development:
Proposed erection of a detached house including change of use of the site from agricultural to domestic use

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:
   1902/09/02/F
   1902/09/05
   Reason:- For the avoidance of doubt and in the interests of proper planning, in

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accordance with the National Planning Policy Framework.

3. Prior to any works taking place above damp proof course level samples of roof tiles and facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason:- To ensure that the external appearance of the development is satisfactory.

4. Within three months of the date of commencement, a scheme of landscaping of the site indicating inter alia the positions of all existing trees and hedgrows within and around the site, indicating those to be retained together with measures for their protection during the course of the development; also the number, species, heights on planting and positions of all trees, shrubs and bushes to be planted, details of boundary treatment and hardsufacing shall be submitted to and approved in writing by the Local Planning Authority.
Reason:- To protect the visual amenities of the Countryside.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planing and seeding seasons following first occupation of the dwellinghouse. Any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or beome seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Location Planning Authority gives consent to any variation.
Reason:- To protect the visual amenities of the Countryside.

6. Prior to any works above damp proof course level details of eaves, verge, parapet and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason:- Having regard to the siting of the approved development and to ensure it is of an approrpriate design and appearance that reflects the prevailing character of Foxt

7. Prior to any works above damp proof course details of windows and doors including material, colour, sections and reveals shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved details which shall thereafter be retained.
Reason:- To ensure the approved dwelling is of an acceptable deisgn and appearance that respects the prevailing character of Foxt.

8. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto the site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source

material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.
Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

9. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided and completed in accordance with plans to be first submitted to and approved by the Local Planning Authority. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.
Reason:- To comply with Core Strategy policy DC1 and the National Planning Policy Framework, in the interests of highway safety.

10. The development 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 maintained and retained.
Reason:- To comply with Core Strategy policy DC1 and the National Planning Policy Framework; in the interests of highway safety.

11. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations between 08:00 - 18:00 hours on weekdays and 08:00 and 13:00 hours on Saturdays and at no time on Sundays, Bank or Public Holidays.
Reason:- To minimise noise disturbance to neighbouring residents.

12. The garage(s) hereby permitted shall not be used for any purpose other than those ancillary or incidental to the enjoyment of the dwelling house hereby approved and shall not be used as living accommodation.
Reason:- Having regard to the siting of the approved development and to guard against future pressure for additional garaging.

13. 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 Class(es) A, B, C, D, E, F and G and/or Part 2 Class(es) A, B and C, 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, and to ensure that adequate private open space is retained within the curtilage of the building.

Informative

This application has been assessed in accordance with paragraph 38 of the National

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Planning Policy Framework. The LPA has worked with the applicant to reach an acceptable solution following concerns raised in respect of siting and design. The proposed development constitutes a sustainable form of development in accordance with the objectives 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.