STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Robert McGuinness
RLM Associates
11 Ashdale Road
Leek
Staffordshire
ST13 6QZ

Messrs D and K Roberts

Application no: SMD/2019/0671

Determined on: 22/01/2020

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

GRANT OF OUTLINE PLANNING PERMISSION

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:
South View, 68 The Green, Cheadle, Staffordshire Moorlands ST10 1PH

Description of Development:
Proposed change of use of part single residential plot into building plot with access alterations to existing

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

1. Details of the layout (including driveways, parking and turning areas internal to the site), appearance, landscaping, boundary structures and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason: The application is an outline application under the provisions of Section 5 of Part 3 of the Town and Country Planning Act (General Permitted Development Procedure) Order 2015 and no particulars have been submitted with respect to the matters reserved in the permission.

2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby permitted shall begin not later than two years from the date

of approval of the last of the reserved matters to be approved.
Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

4. The development hereby permitted shall be carried out in accordance with Drawing Number RLM956/1 and RLM956/2 insofar as these show the boundary of the development site and its access points from the public highway. No approval is hereby given for the layout of the site.
Reason: To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

5. Before the proposed development is brought into use, the wall, including piers, on the site frontage shall be reduced to, and maintained at, a maximum height of 600 mm above the adjacent carriageway level in accordance with approved drawing RLM956/2
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and to define the extent of the highway.

6. No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
- Provision of adequate parking, turning and servicing within the site curtilage;
- Means of surface water drainage including surface water drainage interceptor, located to prevent surface water flowing onto the highway from the areas surfaced as a result of this approval, connected to a surface water outfall or drainage designed on SUDS principles and
- Surfacing materials;

The development shall thereafter be implemented in accordance with the approved details prior to the development being first brought into use and be maintained for the life of the development.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety and to define the extent of the highway.

7. The development hereby permitted shall not be commenced until details of the 2.4m x 43m visibility splays at each access have been submitted to and approved in writing by the Local Planning Authority. The visibility splays shall provided in accordance with the approved plan prior to the development being brought into use and thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy T1 and DC1; in the interests of highway safety.

8. Prior to construction of the new dwelling above damp proof course level the access drive, parking and turning to serve South View shall have been completed in accordance with the conditions attached with this consent and in accordance with the reserved matters as approved.
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy T1 and DC1; in the interests of highway safety.

9. Before the proposed development is commenced details shall first be submitted to and approved in writing by the Local Planning Authority defining the access alterations referred to, but not defined, on drawing RLM956/2. The access improvements shall

thereafter be completed in accordance with the approved drawings prior to the first occupation of the dwelling served .
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy T1 and DC1; in the interests of highway safety.

10. Any gates shall be located a minimum of 5m rear of the highway boundary and shall open away from the highway.
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy T1 and DC1; in the interests of highway safety.

11. All noisy activities shall be restricted to the following times of operations.
- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during antisocial hours.

12. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and in a bound and porous material for a minimum distance of 5m back from the site boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The access shall be surfaced in accordance with the approved details prior to the first occupation of the development and thereafter maintained.
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy T1 and DC1; in the interests of highway safety.

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 additional windows or any other openings shall be installed in any part of the development, unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason: To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

14. 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 and the amenities of neighbours and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

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Informatives

1. The dropped crossing to the site shall be constructed in accordance with the submitted drawing RLM956/2 and SCC requirements. Please note that prior to the access being constructed you are require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) http://www.staffordshire.gov.uk/transport/staffshighways/licences/ Alterations to existing access will require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)

2. It is judged unlikely that Bats will utilise as a place of rest or shelter the garage and lean-to buildings to be demolished. Nevertheless, in the unlikely event that bats or bat droppings are encountered during the development work, all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the specialist advice obtained and with due reference to the law including the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981.

3. 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.

4. The proposed outline development is judged to be of suitable in terms of the matters determined and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraph 38.

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 buildingcontrol@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.