STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Nathan Johnson
Smytheman Architectural Services
High Street
Tean
Stoke-on-Trent
Staffs
ST10 4DZ

Mr Bain
Rosehill Nabb Lane
Alton
Staffordshire
ST10 4AY

Application no: SMD/2019/0751

Determined on: 28/02/2020

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:
Rosehill Nabb Lane Alton Staffordshire ST10 4AY

Description of Development:
Proposed alterations to the existing site access including the planting of new hedgerow tapering to replace the existing to provide a visibility spay

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 complete accordance with the submitted plans and specifications as follows:-

PB18-SA-XX-XX-DR-A-0101

Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Notwithstanding the detail shown on the approved plans, within the first planting season following the commencement of works, a new hedgerow shall be planted on the line shownon the approved plan and the area between the new hedgerow and edge of the metalled part of the road (the visibility splay) shall be landscaped in accordance with details to be submitted to and approved by the Local Planning Authority, in writing. These details shall include:
- Any hard surfacing materials
- 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
- Species rich meadowgrass planting between the carriageway and the new hedgerow. (There shall be no hard surfacing (bound or unbound) within the visibility splay.
- Mixed native species hedgerow.
- Provision of a post and rail or post and wire fence on the line of the new hedgerow whilst plants establish. (There shall be no use of closed boarded fencing or other means of enclosure)
Reason:-
To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

4. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any part of the hedgerow which is removed, dies, becomes diseased or otherwise fails 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 amenities of the area.

5. The visibility splays shall be provided and maintained at the Nabb Lane highway access as indicated in submitted drawing number PB18-SA-XX-XX-DR-A-0101 'site location and block plans' with nothing placed or retained forward of the splay and the public highway exceeding 600mm in height above the level of the adjacent carriageway.
Reason:-
In the interests of highway safety.

6. 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 and porous material for a minimum

distance of six metres back from the site boundary and shall thereafter be retained as such for the lifetime of the development. The extent of the surfacing shall not exceed 1m to either side of the gate posts shown on the approved plans. The surfacing shall thereafter be maintained.
Reason:-
In the interests of highway safety.

7. The removal of the hedgerow shall be undertaken outside of the bird nesting season (March to August). For any removal undertaken within this season, a pre-commencement survey for nesting birds shall be undertaken by a suitably qualified ecologist and a survey report shall be submitted to and approved in writing by the Local Planning Authority before the removal works commence.
Reason:-
In the interests of the ecological value of the site.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or as may subsequently be amended or re-enacted no new gates, walls, fences, gateposts, wing walls or other means of enclosure shall be erected within or on the boundaries of the site unless details have first been submitted to and agreed in writing by the Local Planning Authority.
Reason:
In the interests of visual amenity.

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. Due to potential presence of protected species, works must be supervised by a suitably qualified ecologist, especially during work to remove the hedge near the identified badger track/ latrine area. As recommended, the hedge should be cut down to ground level to prevent disturbing protected species.

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.
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