STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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Town Head Farm Foxt Road
ST10 2HW

Application no: SMD/2019/0700

Determined on: 6th March 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 Foxt Road, Foxt Staffordshire

Description of Development:
Erection of a new detached 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: 1909-12-05; 1909-12-06; 1909-12-07

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. Prior to any works taking place above damp proof course samples of roof tiles, facing material and hard surfaces 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.

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Reason:- To ensure that the external appearance of the development is satisfactory in the interests of achieving high quality design in accordacne with Policies S1 and DC1 of the Core Strategy, the Staffs Moorlands 'Design Guide' SPD and paragraph 127 of the NPPF.

4. Notwithstanding the details shown on the approved plans, the external walls of the dwelling shall be of a natural stone, the specification of which shall be agreed under Condition 3.

Reason:- To ensure that the external appearance of the development is satisfactory in the interests of achieving high quality design in accordacne with Policies S1 and DC1 of the Core Strategy, the Staffs Moorlands 'Design Guide' SPD and paragraph 127 of the NPPF.

5. Prior to any works taking place above damp proof course all details relating to joinery (including cills, lintels, and garage doors); details of eaves, verges and chimneys; vents and ducts; and details of rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The rainwater goods shall be fixed on rise and fall brackets without the use of fascia boards.

Reason:- To ensure that the external appearance of the development is satisfactory in the interests of achieving high quality design in accordacne with Policies S1 and DC1 of the Core Strategy, the Staffs Moorlands 'Design Guide' SPD and paragraph 127 of the NPPF.

6. Notwithstanding the approved plans, prior to any works taking place above damp proof course, details of boundary treatments including the details of any dry stone wall (i.e. height construction and apperance); and details of the block size, coursing and pointing used in the construction of the main dwelling, shall be submitted to and agreed in writing by the Local Plannig Authority. The development shall be carried out in full accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory in the interests of achieving high quality design in accordacne with Policies S1 and DC1 of the Core Strategy, the Staffs Moorlands 'Design Guide' SPD and paragraph 127 of the NPPF.

7. Notwithstanding the approved plans, prior to any works taking place above damp proof course, a detailed landscaping plan which includes an appropriate mix of mature, native planting across the frontage, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory in the interests of achieving high quality design in accordacne with Policies S1 and DC1 of the Core Strategy, the Staffs Moorlands 'Design Guide' SPD and paragraph 127 of the NPPF.

8. No construction works shall take place outside of the following working hours: 08:00 – 18:00 Monday- Fridays; 08:00 – 14:00 Saturdays. No development shall take place on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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Reason:- In the interests of public and neighbouring residential amenity

9. There shall be no visible dust emissions beyond the site boundary associated with the construction works undertaken onsite. In controlling dust on site, the contractor shall have due regard to the Buildings Research Establishment document 'Control of Dust from Construction and Demolition Activities' (BR456)

Reason:- In the interests of public and neighbouring residential amenity

10. Any waste material associated with the construction shall not be burnt on site and shall be kept securly for removal to prevent escape into the environment. There shall be no fires lit on site for purposes of disposing of demolition materials. Any open fires that arise shall be extingushed without delay

Reason:- In the interests of public and neighbouring residential amenity

11. The development hereby permitted shall not be brought into use until the parking and turning areas shown on the approved Site Plan have been provided. The parking and turning area shall thereafter be retained onobstructed as parking and turning areas for the lifetime of the development.

Reason:- In the interests of highway safety in line with Policy T1 of the Core Strategy and paragraph 108 of the NPPF

12. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the site boundary in accordance with the approved details approved as required under Condition 3

Reason:- In the interests of highway safety in line with Policy T1 of the Core Strategy and paragraph 108 of the NPPF

13. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any works revoking and re-enacting that order with or without modification), no development as specified in Schedule 2, Part 1, Classes A-H and Part 2 Classes A-D of the order shall be carried out within the site unless planning permission has first been granted on application to the Local Planning Authority.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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Chief Executive

Informative

Reason for approval:

In the absence of a 5 year Housing Land Supply, in this particular case it is considered that the Public Benefit arising from the provision of a single dwelling which would contribute to the vitality of the village would outweigh the Negligible harm to the setting of the Listed Church. What harm would occur could also mitigated through the proposed landscaping scheme; and the proposal may also mitigate the harm caused to the setting of the Church caused by the existing 4 council houses.

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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.

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