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

Mr. Davis
C/o Agent

Application no: SMD/2020/0034

Determined on: 25th 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 401, Cheadle Road, Cheddleton, Staffordshire, ST13 7BH
(edged red on the Location Plan numbered 2019-2402-04'A')

**Description of Development:**
Erection of 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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. Notwithstanding any plan or detail that was submitted on the date of the application, the development permitted and described above shall only be carried out in complete accordance with the drawn and written detail shown on the revised drawings numbered 2019-2402-08B and 2019-2402-09C that were submitted on the 16th March 2020. Before the development is brought into use the development shall be completed incorporating all details and features shown and specified on these revised drawings.

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 shall only be constrsucted using the external facing brick and roofing tiles that are specified in the schedule of 'PROPOSED MATERIALS' provided on drawing numbered 2019-2402-09C referred to at condition 2 above. The development shall be completed only using the rainwater goods, windows and entrance doors that are specified in the schedule.

Reason:- To ensure a satisfactory quality and appearance of development within the area.

4. The development shall not be brought into use or occupied until the shared drive, parking and turning areas shown on the drawing numbered 2019-2402-08B as being allocated for 401 Cheadle Road and the proposed dwelling are provided for both dwellings with a brick paving surface in accordance with that drawing. These areas for both dwellings shall thereafter be retained and maintained for the life of the development and kept available, free from obstruction for the parking of private motor cars belonging to or visiting 401 Cheadle Road and the proposed dwelling respectively as specified on the approved site plan.

Reason:- In the interests of highway safety.

5. By the end of the closest available planting season to the occupation and first use of the development, the planting area shall be provided in accordance with the drawing numbered 2019-2402-08B. In addition the hedge on the rear boundary shall be enhanced with additional planting to fill any gaps, comprising comprising Hawthorn 70%, Blackthorn 10%, Hazel 10% and Holly 10% . All landscaping shall thereafter be retained and maintained throughout the life of the development. The conifer hedge show on the plan to the front of the site shall be retained and maintained, if it dies or becomes damaged it shall be replanted and replaced within the next available planinting season.

Reason: To ensure a satisfactory appearance.

6. 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, G and H and/ 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 maintain control over the appearance of the development and its impact on amenity to the rear.

7. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities during the site preparation, construction and finishing of the development 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 unsocial hours.

8. The first floor window(s) in the side elevations of the dwelling hereby permitted shall be installed with obscured glazing. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

**Reason**: In the interests of residential amenity

**Informative**
The proposed development is judged to be of suitable design and meets the tests of sustainability in planning; these benefits would not be outweighed by any significant or demonstrable harm. The application presented revised plans as an improved resubmission following a previous refusal and result from the type of discussion and negotiation that is advocated in the National Planning Policy Framework at 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 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.