STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Application no: SMD/2020/0200

Determined on: 17th July 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 Off Garden Street, Leek, Staffordshire

Description of Development:
Erection of detached house

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 the detail of any plan or drawing submitted with the application, the development described above and permitted shall only be carried out in complete accordance with the drawings numbered PL01 and PL02 that were revised to omit an adjoining garage from the development and were received on the 13th July 2020. The development shall not be built with an adjoining garage and the space to the side of the dwelling shall be provided as a single parking space that shall be maintained and retained free from obstrcution as an available parking spacce for the new resident.

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

3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order, 2015, as amended, planning permission shall be obtained before carrying out within the curtilage of this dwelling any additional development described in Classes A to E of Part 1 of the Schedule to the revised Order.

Reason:- To safeguard the amenities of the area and in particular because the development would have limited outdoor amenity space.

4. The development shall only be carried out using facing brick and roof tiles, samples or details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of the visual amenities of the area.

5. Before the dwelling hereby permitted is occupied the front boundary treatment shall be constructed in accordance with details including the external materials which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason:- In the interests of the character and appearance of the development and area.

6. 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:
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.

7. The development shall be built with sound insulation and attenuation methods, including glazing and acoustic ventilation, to prevent any external noise source causing an internal noise level that exceeds an indoor ambient noise level in unoccupied rooms of 30 dB(A) LA eq (1hour) and individual noise events of 45 dB LAmax. There shall be regard for BS 8233:1999 (British Standard 8233:1999 “Sound insulation and noise reduction for buildings Code of Practice”. On completion tests shall be carried out to verify compliance with this condition and results shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

Reason:- In the interests of residential amenity to ensure an adequate level of amenity for the occupants**.**

8. Before the proposed development is brought into use the access and parking area shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained unobstructed for the parking of vehicles for the life of the development.

Reason:- In the interests of highway safety.

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Informative

The proposed development is judged to be of suitable design 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 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.