STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Philip Plant
P4architercture
Lodge Hill Wallbridge Drive
Leek
ST13 8NE

Mr B Frain
142 Ashbiourne Road
Leek
ST13 5BJ

Application no: SMD/2020/0278

Determined on: 6th August 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:
142 Ashbourne Road, Leek, Staffordshire, ST13 5BJ

Description of Development:
Proposed new Vehicular Access and Driveway

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 constructed of those materials as specified in the revised drawing 'Proposed Layout Plan' ref: BEFR/PP/1/002 Rev A, dated June 2020 and there shall be no variation without the prior consent in writing of the Local Planning Authority.

   Reason:- To ensure that the works harmonise with the existing developmen and to comply with policy DC1 of the Staffordshire Moorlands Core Strategy (2014) and the

NPPF (2019).

3. The rebuilt dwarf wall as shown on the revised drawing 'Proposed Layout Plan' ref: BEFR/PP/01/002 Rev A shall be laid so that it matches the pattern and height of the existing wall it adjoins.

   Reason:- To ensure that the works harmonise with the existing developmen and to comply with policy DC1 of the Staffordshire Moorlands Core Strategy (2014) and the NPPF (2019).

4. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

   Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policies DC1 and T1; in the interests of highway safety.

5. 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 material for a minimum distance of 5m back from the site boundary in accordance with the approved plans. The surfacing shall thereafter be maintained

   Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policies DC1 and T1; in the interests of highway safety.

6. Before the proposed development is brought into use, the lighting column in the access shall be relocated and replaced.

   Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policies DC1 and T1; in the interests of highway safety.

7. The development hereby permitted shall be carried out in accordance with the following approved plans:
   - BEFR/PP/01/002 Rev A
   - BEFR/PP/01/003

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

Informative

1. During the course of the consideration of the application the Council sought amendments to the proposals to ensure that adequate space would be available for the parking and turning of vehicles for each dwellinghouse. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

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2. The dropped crossing to the site shall be constructed in accordance with the submitted drawing and SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further 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/

3. The lighting column in the access will need to be relocated by SCC PFI contractor Eon. Please contact lightingforstaffordshire@eonenergy.com as soon as possible before works commence to ensure works can be programmed. This will be at the developers expense and extent of works should be established at an early stage.

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.