STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr James Chapman
Ellastone Old House Main Road
Nr Ashbourne
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DE6 2GZ

Mr Sampson
Wood Lane View
Stoke on Trent
Staffordshire
ST10 4HB

Application no: SMD/2020/0318

Determined on: 20th October 2020

**Town and Country Planning Act 1990**
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

# APPROVAL OF RESERVED MATTERS

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 16 Oakdene Close Blythe Bridge Staffordshire

**Description of Development:**
Approval of reserved matters relating to SMD/2017/0401

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development: Access, appearance, Landscaping, Layout and Scale.

1. The development hereby permitted shall be carried out in accordance with the following approved plans:20/10/3; 12/9/3B, 20/10/1, 20/10/5, 20/10/2, revised plans received by the Local Planning Auhtority on16th October 2020
   Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

2. The first floor bathroom window in the northwestern side elevation shall be fitted with obscured glass. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this window 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:- To protect privacy in the interests of residential amenity and to comply with policy DC1 of the Staffordshire Moorlands Core Strategy (2014), the NPPF (2019)

and policy DC1 of the emerging Staffordshire Moorlands Local Plan

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of t he buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

   Reason: in the interests of visual amenity and to comply with policies DC1 and DC3 of the Staffordshire Moorlands Local Plan (2020) 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 (2019) paragraph 108; to comply with SMDC Local Plan policies DC1 and T1; in the interests of highway safety.

5. The development hereby permitted shall not be brought into use until the parking area has been provided in accordance with the approved plan 12/9/3A. The parking area shall thereafter be retained unobstructed as a parking area for the life of the development.

   Reason:- To comply with NPPF (2019) paragraph 108; to comply with SMDC Local Plan policies DC1 and T1; in the interests of highway safety.

6. The development hereby permitted shall not be brought into use until the access drive/parking bays rear of the public highway has been surfaced in a bound and porous material for a minimum distance of 5m back from the site The surfacing shall thereafter be maintained

   Reason:- To comply with NPPF (2019) paragraph 108; to comply with SMDC Local Plan policies DC1 and T1; in the interests of highway safety.

   Before the proposed develoment is brought into use, the gate shall be removed and the former boundary treatment reinstated. Any damage to the existing footway and kerbs shall be made good in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

   Reason:- To comply with NPPF (2019) paragraph 108; to comply with SMDC Local Plan policies DC1 and T1; in the interests of highway safety.

**Informative**

1. The dropped crossing to the site shall be constructed in accordance with the submitted drawing 12/9/3A 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 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/

2. Any damage to the kerbs or footway due to use of the unauthorised access shall need to be repaired in accordance with details to be submitted. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact 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)

3. During the course of the consideration of the application the Council sought amendments to the proposals. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

X B.J. Haywood

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**

## 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 buildingcontrol@staffsmoorlands.gov.uk

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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

10. 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.

11. 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.