STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mrs Aida McManus
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17 Derwent Road
Burton upon Trent
DE15 9FR

Mr & Mrs Little
The Rickyard
Ashbourne Road
Cauldon Low
ST10 3HD

Application no: SMD/2020/0593

Determined on: 23rd December 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:
The Rickyard, Ashbourne Road, Rue Hill, Cauldon Low, Staffordshire ST10 3HD

Description of Development:
Erection of garage for purposes incidental to the enjoyment of the dwellinghouse and the change of use of adjacent land to provide additional amenity land for purposes that are ancillary to, and used as one planning unit with, the existing dwelling house at 'The Rickyard'.

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. The change of use of land described above shall be limted to the land that is shown edged red on the 1:1250 location plan that was submitted with the application, the land shall only be used for purposes that are ancillary to the single dwellinghouse. The development permitted, relating to the erection of a garage, shall only be carried in accordance with the drawings identified as 'Proposed Garage elevations, roof and floor plan'; 'Proposed Garage and garden Landscaping'; and 'Proposed Site Plan with garage screening', that were submitted with the application.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance

with the National Planning Policy Framework.

3. The garage permitted shall only be constructed as a timber structure using timber facing boards that shall be treated and maintained in a dark natural wood stain and a dark grey zinc seamed corrogated sheet roofing material. There shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works are in keeping with the surrounding area.

4. 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, AA, B, C, D, E, F, G, and H and/or Part 2 Class(es) A, B, and C, and/or Part 20 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 enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

5. All of the Landscaping shown on the submitted plans, including the transitional meadow planting and the tree line screening for the garage, shall all be planted during the first available planting season following the grant of this planning permission. The planting shall be carried out using only native traditional species and shall thereafter be retained and maintained throughout the life of the development.

Reason: In the interests of the character and appearance of the site within its surroundings.

6. The garage shall not be brought into use until all freight or haulage containers have been removed from the property. There shall at no time during the life of the development be any container, moveable structure, caravan or trailer introduced or used within the red edged area of land without the written agreement of the Local Planning Authority.

Reason: To protect the character and appearance of the area

7. Prior to the first use of the garage hereby permitted the southern and eastern boundaries of the site with the adjoining agricultural land shall be defined with natural dry stone walls to match the existing.

Reason: In the interests of the character and appearance of the site within its surroundings.

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 at paragraph 38.

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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 BControl@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.