STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Ellis Hillman Partnership
Holly Lodge
Silverdale Road
Newcastle
Staffordshire
ST5 8BQ

Mr Dyer
70 Tollbar Cottage
Ipstones
ST10 2LU

Application no: SMD/2020/0594

Determined on: 5th January 2021

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

GRANT OF OUTLINE PLANNING PERMISSION

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 to the rear of Tollbar Cottage, 70 High Street, Ipstones, Staffordshire, ST10 2LU, shown edged red on the Location Plan no. 6080-001A

Description of Development:
Erection of a single detached dwelling
(Outline application with all matters reserved)

In pursuance of their power under the above-mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

1. This outline permission shall relate only to the site shown edged red on the Location Plan numbered 6080-001A that was submitted with the application.

Reason: For the avoidance of doubt

2. Before the expiration of 3 years from the date of this permission and any of the development permitted and described above commences, plans and particulars relating to:

- 'Access' – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and

includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

shall be first submitted, as a formal application, to the Local Planning Authority for their written approval (hereinafter called "the reserved matters").

Reason: Only an outline permission has been granted and it is necessary to make a further submission of full reserved matters details to ensure a satisfactory standard of development. The time limit condition is imposed in order to comply with the requirements of Sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the "reserved matters" to be approved, whichever is the later.

Reason: The time limit condition is imposed in order to comply with the requirements of Sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990.

4. Any drawn or written detail shown on the plans submitted with the outline application are considered to be indicative only. Notwithstanding such detail, the development permitted and described above shall only be carried out in accordance with those plans or details submitted and approved to comply with the conditions of this permission; and those "reserved matters" particulars and details that are approved by the local planning authority after they have been submitted to comply with condition 2 of this permission.

Reason: To ensure a satisfactory standard of development.

5. The subsequent "reserved matters" application and submission shall be accompanied by a suitable tree survey/arboricultural impact assessment report in accordance with British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, to identify and demonstrably take into account potential direct impact on existing trees on- or off-site, and also any potential indirect impact on such trees arising from relationship between the proposed development and tree crowns. This shall include consideration of any short term or long term implications for the young protected Oak tree planted as replacement for the original and subsequently removed Ash tree protected as T8 under Tree Preservation Order No. CR.7. The results, findings and recommendations of that impact assessment report shall inform and be appropriately incorporated into the detail of the "reserved matters" submission either by including mitigation actions or measures in the landscpaing proposals or by designing and laying out the development accordingly.

Reason: To ensure the development does not adversley impact on protected trees and trees to be otherwsie retained.

6. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and these shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority (LPA). Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the LPA.

Reason: To ensure the development does not adversley impact on protected trees and trees to be otherwsie retained.

7. The subsequent “reserved matters” application and submission shall be accompanied by an ecology report following, and relating to, the survey of the existing garage by a qualified ecologist with consideration for the presence of bats and for its potential as a bat roost. The results, findings and recommendations of that report shall inform and be appropriately incorporated into the detail of the “reserved matters” submission either by including mitigation actions or measures in the scheme or by designing and laying out the development accordingly. The garage shall not be demolished and the details of the “reserved matters” submission shall not include the removal or replacement of the exisitng garage, unless the recommendations of the report find, and that the submission demonstrates, that it can be done so with due regard to best pratice and protected species legislation.

Reason: Because the development could potentially result in the loss of bat habitat.

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.

IMPORTANT INFORMATION: The proposed site access works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to road.adoptions@staffordshire.gov.uk. The applicant is advised to

begin this process well in advance of any works taking place to meet any potential timescales https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx
Condition regarding construction of the bellmouth can be discharged only by evidence of completion of a Highway Works Agreement.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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 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.