STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Miss Karen Harper
25 Lawton Street
Congleton
CW12 1RU

Mr Hamand
Park Lane
Congleton
Cheshire

Application no: SMD/2020/0640

Determined on: 22/01/2021

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 Adjacent 66 Albert Street, Biddulph, Staffordshire

Description of Development:
Variation of condition 4 of SMD/2019/0513

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 shall proceed in accordance with the approved materials, namely Ibstock Alderley Orange facing bricks and Marley Modern roof tiles in smooth grey.

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

2 The landscaping details as shown on drawing numbers 190605 (DC) 001 Rev A and 190605(DC)002 shall be implemented in full prior to the first occupation of the development hereby approved.

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

3. The first operation to take place shall be the formation of the new access to the existing house (66 Albert Street) within the limits of the public highway as a vehicular dropped crossing; the access, parking and turing areas to 66 Albert Street shall be provided in accordance with drawing number 190605(PR)005 Rev D, and thereafter retained for the lifetime of the development.

   Reason:- To comply with the objectives and policies contained within the NPPF and in the interest of Highway Safety.

4. Prior to the first use of the new development (house number 70 Albert Street) the existing vehicle access crossing to the development shall be realigned to suit the widening of the access.

   Reason:- To comply with the objectives of policies contained within the NPPF and in the interests of Highway Safety.

5. The new development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with drawing number 19065(PR)005 Rev D and shall be surfaced in a porous bound material and thereafter retained for the lifetime of the development. Prior to the occupation of the dwellings hereby approved, the six parking spaces shall be clearly demarcated and numbered to clarify which two spaces belong to which property. The demarcation and numbering shall be retained in such a form for the lifetime of the development.

   Reason:- To comply with the objectives and policies contained within the NPPF and in the interests of highway safety.

6. Any gates for the new access shall be located a minimum of 6m from the rear of the carriageway edge, shall open away from the highway and shall not be of a solid construction.

   Reason:- To comply with the objectives and policies contained within the NPPF and in the interests of highway safety.

7. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 190605(PR)001A, 190605(PR)002A, 190605(PR)003A, 190605(PR)004A and 190605(PR)005D

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

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Informative

1. This application constitutes a sustainable form of development and therefore accords with the objectives of the NPPF.

2. 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 crossings" which includes a "vehicle dropped crossings pack" for a dropped crossing. Please complete and send to the address indicated on the application form or email nmu@staffordshire.gov.uk www.staffordshire.gov.uk/transport/staffshighways/licences.

3. Any soakways shall be located a minimum of 5m rear of the highway boundary.

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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.