STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Miss Billie Chell
Hewitt & Carr Architects
17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Mr Seaton
C/o Agent

Application no: SMD/2020/0508

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 Adj Hollinscroft House Uttoxeter Road Lower Tean Staffordshire

Description of Development:
Variation of condition 2 relating to SMD/2019/0402 to allow for minor amendments to the approved scheme

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 22nd March 2018 being the date of the permission reference SMD/2019/0402 to which this variation of condition permission relates.
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 carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
01003 AL(0)01 rev I (plans drawing)
01003 AL(0)02 F (elevations)
01003 AL(0)03 (site red edge)

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. The external facing walls shall be in brick Wienerberger Oakwood Multi with detailing to brick below DPC and to top of plinth in blue version of same Wienerberger Oakwood Multi and the roofing material shall be 'Forticrete Gemini' roof tile in Slate Grey all as specified in the submitted details as amended 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 neighbouring developments and are suited to the character and appearance of the location.

4. The development shall be completed in accordance with the levels illustrated as 'Proposed Section 1:100' in drawing AL(0)06 of the SMD/2019/0402 consent. There shall be no variation in these levels without the written approval of the Local Planning Authority.
Reason: In order to ensure the satisfactory appearance of the development and its appropriate relationship to the site and adjoining land.

5. All noisy activities shall be restricted to the following times of operations.
- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during ant-i social hours.

6. Prior to the first occupation of the development hereby approved details of all boundary treatments including details of hedgerows retained and details of new or replacement hedgerow planting and any hard landscaping shall be submitted to the Local Planning Authority for written approval and the boundary treatments shall be completed in accordance with the design details and specifications as subsequently approved. The approved details shall be implemented prior to the first occupation of the development or in the case of any new planting before the end of the first available planting season (November to March) following completion of the development or its first occupation whichever is the earlier and the boundaries as approved shall thereafter be so retained for life of the development.
Reason: In the interests of the visual appearance of the development and the amenities of the area and neighbours.

7. The development hereby permitted shall not be brought into use until:
(i) the access to the site within the limits of the public highway has been completed;
(ii) details of the surface water drainage interceptor, sited immediately to the rear

of the highway boundary, connected to a surface water outfall, have been submitted to and approved in writing by the Local Planning Authority and have thereafter been constructed in accordance with the details as approved;

(iii) the parking area has been provided in accordance with the approved plan 01003 AL(0)01 rev I and the parking area shall thereafter be retained unobstructed as parking area and un-gated for the life of the development;

(iv) the visibility splays shown on plan 01003 AL(0)01 I have been provided and the visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reasons: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

8. 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 additional windows or any other openings shall be installed in any part of the development hereby permitted, without express planning permission first being obtained from the Local Planning Authority.
Reason: To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

9. 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, B, C, D, E, and G and/or Part 2 Classes A and B, 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 or shared amenity space is retained within the curtilage of the building.

Informatives

1. The dropped crossing to the site shall be constructed in accordance with the submitted drawing 01003 AL(0)01 rev I 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. The access to the parking area to Hollinscroft House adjacent to the proposed dwelling site does not appear to have a S184 notice and is surfaced in a non standard material which SCC does not maintain. The applicants should formalise the access crossing through S184 application. Maintenance of the setts will remain the responsibility of the owners of Hollinscroft

House. Any work carried out by highways or statutory undertakers affecting the setts will be reinstated using standard blacktop materials.

3. The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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.