STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr & Mrs Moss
c/o Agent

Application no: SMD/2020/0562

Determined on: 10/02/2021

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:
The Bungalow, Pines Lane, Biddulph Park, Biddulph, Staffordshire, ST8 7SP

Description of Development:
Erection of Replacement Dwelling

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. Notwithstanding the detail shown on plans submitted with, or during consideration of, the application, the development permitted and described above shall only be carried out and completed in accordance with the Location Plan 100720-004-PO, LP01 Rev P1, revised plans numbered 100720-007-P3 and 100720-002-P3 that were submitted electronically on the 28th January 2021; and, revised plan numbered 100720-003-P4 that was submitted electronically on the 10th Feb 2021.

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

3. The development shall only be construcuted using the external facing and roofing materials that are specified on the revised plans numbered 100720-007-P3 and 100720-002-P3 that were submitted electronically on the 28th January 2021; and, revised plan numbered 100720-003-P4 that was submitted electronically on the 10th Feb 2021 and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To safeguard the quality and appearance of the development.

4. The existing building shall only be removed from the site in accordance with the 'Reasonable Avoidance Measures Method Statement for the Protection of Bats at Pines Lane, Staffordshire Moorlands 2020' set out in the ecologist's report from 'Hacking Ecology' that was submitted with the application. The following Reasonable Avoidance Measures (RAMs) must be implemented before and during the development works:
• A copy of this RAMs statement shall be always made available on site.
• Prior to works commencing, a toolbox talk will be given to all site personnel by an ecologist, detailing identification of bat evidence and the methods of conversion to be used.
• An ecologist will be on call throughout the construction work.
• If during development works a bat is discovered at any time, work is to stop whilst an experienced bat ecologist is contacted for guidance and assistance. This can be Rachel Hacking Ecology (0161 427 3548) who undertook the initial survey, any licensed bat worker, or the Bat Conservation Trust (BCT) helpline (0345 1300 228).
• The roof tiles and upper walls of the building are to be soft stripped where necessary, with the tiles lifted instead of dragged.
• If any gaps are created to the upper floor during the works and these gaps will be left overnight, the gaps are to be temporarily sealed overnight with tape, boards or expanding foam, to prevent any bats from entering the building.

Reason:- to ensure the development does not adversley impact on protected species.

5. Before the completed development is brought into use 2 x 2F Schwegler bat boxes shall be installed and attached to the new building, at a height of 3m or above. The bat boxes shall be retained and maintained throughout the life of the development.

Reason:- to ensure the development does not adversley impact on protected species.

6. The development shall not be brought into use until the access and visibility splays and the parking and turning areas have been constructed, provided and surfaced all in accordance with the drawn and written details shown on revised plan no 100720-007-P3 that was submitted on the 28th January. Thereafter, and throughout the life of the development the visibility splays shall be kept free of any structure with a height of 900 mm above the adjacent carriageway level; and the turning and parking areas shall be maintained and retained, free from obstruction, and available at all times for the parking and the turning of vehicles.

Reason:- In the interests of highway safety.

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

7. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:- In the interests of highway safety and the Councils car parking guidance.

8. Any gates shall be located a minimum of 5m rear of the carriageway boundary and shall open away from the highway in accordance with approved drawing number 100720-007-P3.

Reason:- In the interests of highway safety

9. Before the development is brought into use the drystone walls that are shown and detailed on the plans numbered 100720-007-P3; 100720-002-P3; and 100720-003-P4 shall be constructed in accordance with those details and shall thereafter be retained and maintained.

Reason:- To ensure a satisfactory character and appearance of the site.

10. Before the development is brought into use the landscaping and planting shown and detailed on the 'LANDSCAPE LAYOUT' no. LP01 P1 shall be carried out and implemented and shall thereafter be maintained and retained throughout the life of the development.

Reason:- To ensure a satisfactory character and appearance of the site and to assimilate the development into the landscape.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Schedule 2, Part 1 Class(es) A, B, C, D, E, F, G and H and Part 2 Class(es) A, B, and C, 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.

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. Amended plans were agreed with the agent during the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework at paragraph 38.

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

The works required within condition 3 will require the relevant permit from our Network Management Section. The existing crossing to the site shall be reinstated to verge. 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)

X

Signed by: Jane Colley Signature

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.