

Mr Adam Gregory
Forefront Development Consulting Ltd
4 Ridge House Ridge House Drive
Stoke-on-Trent
Staffordshire
ST1 5SJ

Mr Bailey
Lynmore 113 Leek Road
Stockton Brook
Staffordshire
ST9 9NJ

Application no: SMD/2021/0444

Determined on: 18/11/2021

**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:

Lynmore 113 Leek Road Stockton Brook Staffordshire ST9 9NJ

Description of Development:

Demolition of existing Utility and proposed single storey rear extension – Retrospective

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 carried out in accordance with the following approved plans:
- 21-113-05A

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

2. The external facing materials shall match in colour, form and texture those of the existing building 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 development.

3. Within two weeks of the date of this permission, any exposed tree roots visible in the face of the raised ground level excavation to the west and south-west of the existing dwelling shall be clean pruned perpendicular to the direction of root growth using a sharp, designed for purpose pruning tool such as secateurs.

Reason:- To ensure the continued protection and wellbeing of adjacent TPO protected trees.

4. Within three months of the date of this permission, the re-aligned retaining wall to the west and south-west of the existing dwelling shall be constructed to accommodate the development hereby permitted including side access path to the rear garden, and the ground levels backfilled behind the retaining wall with good quality topsoil to tie-in with existing raised garden levels, such retaining wall construction and backfilling being carried out without any construction machinery/plant access or temporary building materials/topsoil storage on the raised garden area.

Reason:- To ensure the continued protection and wellbeing of adjacent TPO protected trees.

5. Subject to accommodation of work as required and specified under Conditions 3 and 4 above, temporary tree protection barriers and advisory notices for the protection of existing trees to be retained shall be erected prior to any continuation of further work in connection with the development hereby approved, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations, and as set out in the Hamps Valley Ltd BS5837:2012 Tree Survey Report dated 7th September 2021 submitted in support of the application hereby approved, and these shall be retained in position for the remaining duration of the period that development takes place, unless otherwise agreed by the 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 by the LPA.

Reason:- To ensure the continued protection and wellbeing of adjacent TPO protected trees.

Informative

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

X *J Colley*

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.