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PME Planning Services
Townend Townsend Lane
Waterhouses
Staffordshire Moorlands
ST10 3HZ

Mr Pennington
Lane End Cottage Whirley Low
Foxt
Staffordshire
ST10 2HR

Application no: SMD/2021/0665

Determined on: 20/12/2021

**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:

Whirley Low Lane End Cottage Town End Road Foxt Staffordshire ST10 2HR

Description of Development:

Formation of an improved access, construction of a carport and store and change of use of the associated land to domestic use. (Resubmission)

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 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 exact complete accordance with the submitted plans and specifications, as follows:-

Amended Plan: Location Rev 2-1 received 20.12.21
Amended Plan: Pr Block Rev 4-1 received 20.12.21
Garage Rev 1-1
Amended Plan: Access Rev 3-1 received 20.12.21

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3.The stables building shown for removal on the Block Plan/Site Plan shall be demolished in its entirety and all demolition materials shall be removed from the site before the proposed outbuilding is brought into use.

Reason:-

In the interests of the character and appearance of the area.

4.The pedestrian gate and vehicular access gate shown on the access elevation drawing shall be provided in exact accordance with the details of scale, design and materials in terms of their type, texture and colour to be submitted to and approved in writing by the Local Planning Authority.

Reason:-

In the interests of the character and appearance of the area.

5.The existing dry-stone boundary wall shall be extended with matching stone materials over the existing vehicular access in accordance with the approved Access Elevation drawing before the approved new access is first brought into use.

Reason:-

In the interests of the character and appearance of the area.

6.The outbuilding hereby approved shall have timber elevational finishing materials which are dark stained.

Reason:-

In the interests of the character and appearance of the area.

7.The outbuilding hereby approved shall be used solely for the parking of vehicles in connection with the ancillary residential use of the site, for storage purposes in connection with the residential use of the site and for items in connection with maintenance of the land edged blue in the location plan and shall not be used for accommodation purposes either as a separate unit of accommodation or habitable accommodation ancillary to the residential use of the site or for commercial or business purposes.

Reason:-

In the interests of the character and amenities of the area.

8.Before the outbuilding is first brought into use, all existing hard-surfaced materials in the area marked "Restore to garden" in the approved Block Plan shall be removed from the site

in their entirety and this area shall be grassed over. The area shall thereafter be maintained as grass and/or soft landscaping.

Reason:-

Reason:-

In the interests of the character and appearance of 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 further development as specified in Part 1 Class(es) E and F or Part 2 Classes A to C shall be carried out within the site 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.

10. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 5m back from the carriageway edge in accordance with the approved Access Drawing.

Reason:-

In the interests of highway safety.

11. The development hereby permitted shall not be brought into use until the visibility splays shown on the approved Access Drawing have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level.

Reason:-

In the interests of highway safety.

12. Within one month of the development hereby permitted being brought into use until the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted shall be permanently closed with full height wall to match existing and the access crossing reinstated.

Reason:-

In the interests of highway safety.

13. The gates shall be located a minimum of 5m rear of the carriageway edge and shall open away from the highway in accordance with the approved Access Drawing.

Reason:-

In the interests of highway safety.

Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. The access crossing to the site from the highway shall be constructed in accordance with the submitted drawing 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 further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Although the pack refers to dropped crossings, a S184 notice is required for an access leaving the carriageway and crossing highway verge. 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/>

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Signed by: Ben Haywood

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.

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