

Mr Malcolm Sales
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Mr Oakes
White Oaks Common Lane
Dilhorne
ST10 2PA

Application no: SMD/2021/0492

Determined on: 17/01/2022

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

APPROVAL OF RESERVED MATTERS

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:

White Oaks The Common Dilhorne Staffordshire ST10 2PA

Description of Development:

Application for approval of reserved matters following outline approval (SMD/2018/0244) for the Erection of a single dwelling

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development: Access, Appearance, Landscaping; Layout and Scale.

1. The development hereby approved, including the surfacing materials of the access road/driveway, shall be carried out in exact complete accordance with the submitted amended plans and specifications, as follows:-

2010 21 05 Rev C dated 12.11.21
2010 21 06
2010 21 04 Revised

Reason:-

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

2. Before the development hereby approved is brought into use, a native hedge shall be planted along the south-east boundary of the site in accordance with a revised landscaping scheme to be submitted to and approved in writing by the Local Planning Authority. These

details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

3. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

4. 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) A, E and F 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 the openness of the Green Belt.

5. The development hereby permitted shall not be brought into use until the visibility splays of 2.4mx180m to the south east and 2.4mx171m to the north west shown on plans 2010/21/05 B and 2010/21/06 B have been provided. The visibility splay 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.

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

Reason:-

In the interests of highway safety.

7. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

Reason:-

In the interests of highway safety.

8. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided in accordance with the approved plans.

Reason:-

In the interests of highway safety.

9. Any gates shall be located a minimum of 5m rear of the carriageway edge and shall open away from the highway.

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 applicant is reminded that there are a number of pre-commencement conditions attached to the outline permission which require the provision of further information to be submitted to the Council for approval before works commence. There is also a condition which requires all existing trees on site to be retained unless written consent to remove any tree is obtained from the Council.

3. The proposal involves excavations and surfacing within the highway. Please note that prior to the access 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)

4. The visibility splay to the south east (away from Dilhorne) of the proposed access onto Common Lane will require cutting back of vegetation on the boundary. Trees will be within the splay but there is no intention that provision of the visibility splay will require removal of trees. Existing trees are to remain. Hedges and vegetation will need to be cut to a maximum height of 900mm above adjacent carriageway level.

X *B.J. Haywood*

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 buildingcontrol@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.