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Mr Parker
Endon Bank Farm
Church Lane
Endon
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ST9 9HF

Application no: SMD/2021/0227

Determined on: 11th March 2022

**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:

Endon Bank Farm, Church Lane, Endon, Staffordshire, ST9 9HF

Description of Development:

Erection of single storey rear extension to dwelling, formation of new window opening to rear elevation of dwelling, and replacement of dwelling's windows; and erection of detached outbuilding.

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. The development hereby permitted and described above shall only be carried out in accordance with the following plans referenced and numbered P192-216 LP and P192-Window Section, that were submitted with the application; the revised plans referenced and numbered P192-214E PPBP and P192-215A POPE, that were received on the 1st November 2021; and the revised plans referenced and numbered P192-210B PGFFP, P192-211C PE S1, and P192-212A PE S2, that were received on the 17th January 2022.

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 carried out using the external facing and roofing materials that are specified on the approved plans referenced above at condition 2, 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.

4. The replacement windows to be installed shall be timber framed and constructed in accordance with the window sections shown on the Lymewood Architectural Joinery drawing that was submitted with the application.

Reason:- To ensure that the works harmonise with the existing development.

5. Before the development is brought into use, the curtilage enclosure to the rear, or north east facing elevation, of the dwelling shall be laid out and landscaped in accordance with the revised block plan numbered P192-214E PPBP this shall include the erection of the dry stone boundary wall along the line shown, and as detailed, on that block plan. The enclosure layout and wall shall thereafter be retained and maintained in that finished condition and position throughout the life of the development.

Reason:- To ensure that the works harmonise with the existing development.

Informative

1. 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. The applicant was provided with opportunity to revise the scheme to address concerns as advocated within the National Planning Policy Framework paragraph 38.

2. This permission does not imply any consent for the removal or pruning of any tree located within the conservation area. Before removing or pruning a tree in the way of carrying out any development that may be permitted by the GPDO, you would correctly need to submit to the LPA written notification (letter or e-mail, or can also submit via planning portal, but it doesn't have to be on a prescribed form) of intent to carry out work to a non-TPO tree in a Conservation Area (assuming it has a stem diameter of 75mm or greater at 1.5m above ground level; however, there is no need to notify where stem size of a non-TPO tree in a Conservation Area is less than 75mm diameter as the notification procedures/protection do not apply in such cases). The notification must identify the tree (ideally by means of a plan; needn't be accurate scale plan as long as it's clear which tree and where it is) and describe the proposed work to the tree in sufficient detail that it is clear what is intended (felling/complete removal is just felling/removal and needs no further description, but pruning proposals need to specify the type and extent of work intended, so we can properly assess the impact). The notified work cannot be carried out within 6 weeks of the LPA's receipt of notification, UNLESS within that time the LPA issues written consent. If the LPA does not reply within 6 weeks, the notified work can then be carried out anyway under a "default consent", UNLESS at any time a TPO has been made which provides further protection for the tree – which would then require a formal

TPO application and grant of consent before tree work is carried out. The LPA cannot refuse a Conservation Area tree work notification, so we would have to be prepared to make a new TPO to provide longer term protection if it was considered that the tree was of significant amenity value and the proposed work was unacceptable/unjustified.

3. This permission does not imply consent for any creation of, improvement to, or alteration of any access with the highway. Any works will, in any event, require the relevant permit from the highway authority Network Management Section. Please note that prior to any 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. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

4. Staffordshire County Council Public Rights of Way Officer's comments are below; If the stile is to be re-instated then I do not have any comment to make. The footpath runs along the track anyway so the gate must be kept unlocked and operational at all times to allow people access. We have previously received an enquiry from a path user who found the gate to be locked and they were unable to access the path. If the gate is locked again then we have powers to take formal action. The grass verge being a service strip and having utility plant within can be accessed by Statutory Undertakers for at any reason at any time and will not reinstate the setts. The applicant should be advised of this.

X 

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 BCControl@staffs Moorlands.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.staffs Moorlands.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.