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Mr & Mrs Challinor
C/o Agent

Application no: SMD/2022/0062

Determined on: 05/04/2022

**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:

Land Between Brook Cottage And Sneyd Arms Ashbourne Road Whiston Staffordshire

Description of Development:

Variation of condition 2 relating to SMD/2017/0148 - Appeal Reference -
APP/B3438/W/17/3187025

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 and completed in accordance with the following approved plans:

01134 AL (0)01, AL(0)02; AL(0)03 and AL(0)04.

Reason:-

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

2. The finishing materials for the development shall comprise Forterra Hampton Rural Blend for the external walls, Marley Hawkins Staffordshire Blue clay tiles for the roofing materials

and the fenestration, feature stone and other materials shall be provided in exact accordance with the details in the Statement submitted with Discharge of Condition application DOC/2020/0099.

Reason:-

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

3. The development shall be undertaken in accordance with the finished levels details shown in drawing 00543 AL(0)04 A submitted with application DOC/2020/0058.

Reason:-

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

4. Demolition or construction works shall take place only between 08:00-18:00 Monday-Friday and 08:00-13:00 on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason:-

In order to protect the residential amenities of the area.

5. The foul and surface water drainage for the site shall be provided before the development is brought into use in exact accordance with drawings K841-100 and K841-101 and Tank Details submitted with application DOC/2020/0058.

Reason:-

In order to protect the site and surrounding area from flooding and pollution.

6. The boundary treatments, hard-surfacing, planting and landscaping of the site shall be undertaken in exact accordance with drawing 00543 AL(0)05 submitted with application DOC/2020/0058.

Reason:-

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

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The boundary treatments and hard surfacing shall be provided before the development is first brought into use.

Reason:-

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

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, and the access to the site within the limits of the public highway has been completed. The access shall be constructed as a dropped crossing of the verge. 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.

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

Reason:-

In the interests of highway safety.

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.

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