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Mr & Mrs Green
Wildwood Farley Lane
Farley
ST10 4BZ

Application no: SMD/2022/0230

Determined on: 12/08/2022

**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:

Wildwood Farley Lane Farley Staffordshire ST10 4BZ

Description of Development:

Eco House replacement development.

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 permitted shall be carried out in accordance with the following approved plans:

- AL(0)52B
- AL(0)53B
- AL(0)54B
- AL(0)55B

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

3. The dwellinghouse hereby approved shall be occupied as one dwellinghouse and shall at no time be subdivided, let or sold as separate dwellinghouses.

Reason:- To ensure the development complies with housing policies in respect of new housing in rural areas and to ensure the development is acceptable in highway safety terms regarding access and parking provision.

4. Prior to the construction of the dwellinghouse hereby approved, samples/details of types and colours of all roofing and facing materials and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory.

5. Prior to the construction of the dwellinghouse hereby approved, details of the sustainable features to be included to make the building net zero and their precise siting and design, shall be submitted to and approved in writing with the Local Planning Authority. The submitted details shall include information as to how the combination of features will achieve a net zero dwellinghouse. The development shall be undertaken in accordance with the approved details and shall be retained for the lifetime of the development.

Reason:- To ensure the dwellinghouse achieves the sustainability credentials outlined within the Planning Statement and to comply with the Design Guide SPD.

6. Prior to the construction of the dwellinghouse hereby approved, details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), shall have been submitted and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details and there shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

7. Prior to the first occupation of the dwelling hereby approved, space shall be laid out within the curtilage of the property for the parking of 3 cars which shall be properly consolidated, surfaced and drained in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason:- To ensure adequate off street parking.

8. The development hereby approved shall be undertaken in accordance with the 'Enhancements for Bats', 'Enhancements for Birds' and 'Method of Working' sections of the Preliminary Bat Roost Assessment & Bird Survey dated 1st March 2021 and produced by S. Christopher Smith.

Reason:- In order to achieve a net gain in biodiversity and for the protection of protected species.

9. Prior to the construction of the external walls of the dwellinghouse hereby approved being constructed, a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of all new trees, shrubs and any other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting and shall include additional screen planting to the south-eastern boundary. The hard landscaping so approved shall be fully implemented prior to the occupation of the dwellinghouse. The soft landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:- In the interests of the visual appearance of the development and the amenities of the area.

10. Prior to the construction of the external walls of the dwelling hereby approved, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason:- In the interests of the visual appearance of the development and the amenities of the area.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- In the interests of the visual appearance of the development and the amenities of the area and to protect the openness of the countryside .

Reason for Approval

The Committee considered that in this instance the sustainability benefits of the proposed change of materials outweighed the harm to the character and appearance of the area.

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 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.
12. Domestic sprinklers
Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1
If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

13. Working smoke alarms correctly positioned in your home can save your life.

The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month.

Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.