STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Application no: SMD/2023/0390

Determined on: 26th September 2023

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:
Meadow View, Well Lane, Gillow Heath, Staffordshire, ST8 6QU

Description of Development:

Demolition of existing garage and proposed new dwelling adjacent to Meadow View (Under the powers set out at s73 of the Act this is a 'differing' planning permission to that referenced as Outline Permission SMD/2016/0187 and Approval of Reserved Matters SMD/2018/0557, granted on the 8th Nov 2016 and 13th Dec 2018 respectively; and, 'differing' planning permission SMD/2022/0121, granted on the 9th May 2022. With this permission varied conditions allow the substitution and approval of revised drawings that show the dwelling with alterations to its external elevations).

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 have begun no later than two years from the date of 13th December 2018, which was the approval date of the last of the reserved matters to be approved under ref. SMD/2018/0557.

Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. The development described above and hereby permitted shall only be carried out in accordance with the following, hereby approved, revised plans: P144-204 A Location Plan, P144-200E Existing and Proposed Block Plan, P144-201E Proposed Floor Plans, P144-202D

Proposed Elevations, P144-203D Existing and Proposed Street Scene – submitted with this application; and 200120-C2C-SZZ-M2-S-01-P04 Long Section Through Basement, that was submitted with application SMD/2022/0121.

Reasopn:- 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 Facing Materials, the details of which were submitted with application ref. DOC/2020/0060 and approved in writing by the local planning authority by letter dated 3rd March 2021. For the avoidance of doubt, those facing materials include: Staffordshire Blue plain tiles, Michelmersh Blockley Oldcott Rustic bricks, and K rend Limestone White. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason:- In the interests of good design and the character and appearance of the street scene, in line with Core Strategy Policies SS1 and DC1 and paragraph 127 of the NPPF.

4. The development hereby permitted shall only be carried out in full accordance with, and observation of, the CMP (Construction Management Plan) that was submitted with application ref. DOC/2020/0060 and approved by the local planning authority by letter dated 3rd March 2021. For the avoidance of doubt, the approved CMP relates to the Construction Management Plan Revision A dated 22/09/2020, and the approved CMP shall be implemented in accordance with the approved details throughout the construction period.

Reason:- In the interests of highway safety and neighbour amenity.

5. The development permitted shall not be brought into use until the existing dwelling 'Meadow View' has been provided with the access, parking and front garden boundary treatment that is shown on the approved drawing numbered P144-200E Proposed Block Plan, submitted with the application, and the access visibility splay shown on plan no. 02F, submitted with the outline application SMD/2016/0187. The access, parking, front garden boundary treatment, and visibility splay shall thereafter be retained for the life of development, with the visibility splay kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:- In the interests of highway safety.

6. The development permitted shall only be carried out with the implementation of the drainage scheme that was submitted with application ref. DOC/2020/0060 and approved by the local planning authority by letter dated 3rd March 2021. For the avoidance of doubt, the approved drainage scheme shall be implemented in accordance with the approved details that include those details shown on:

- Drawing reference 200120 C2C ZZ 00 M2 S RC000 Rev. A;
- SW Calculations document by Craig Cook, Causeway C2C Consulting Engineers Ltd dated 10/07/2020;
- Drainage Strategy Report by C2C Consulting Engineers Ltd referenced 200120 and dated 07/07/20; and,

- email demonstrating S106 approval from United Utilities for connection to the public sewer dated 27/07/2020.

Reason:- In the interests of achieving a sustainable drainage scheme.

7. In the event that soil contamination, including surface coal measures, is found, at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not continue any further until an initial investigation and risk assessment has been completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not re-commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of minimising risks from unknown contamination sources.

8. The existing hedgerows to the side (north-east) and rear (north-west) boundaries of the application site edged red and adjoining parent plot shall be permanently retained or otherwise replaced where removal has occurred within the next available planting season following the date of this permission unless otherwise approved by a subsequent reserved matters application.

Reason:- In the interests of character and appearance and nature conservation.

9. No hedgerow shall be removed during the bird nesting season (March to August inclusive), unless otherwise agreed in writing by the Local Planning Authority and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.

Reason:- In the interests of nature conservation.

10. Prior to the development being brought into use or occupied, the access shall be constructed and provided with the visibility splays shown and detailed on drawing numbered P144 – 210 that was submitted with application ref. DOC/2020/0060 and approved by the local planning authority by letter dated 3rd March 2021. The visibility splay shall be thereafter, be retained and maintained throughout the life of the development and kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.

Reason:- In the interests of Highway Safety in accordance with Core Strategy Policy DC1 and paragraph 108 of the NPPF.

11. The development hereby approved shall not be brought into use until the access drive

has been surfaced in a bound and porous material for a minimum distance of 5m back from the site boundary. The surfacing shall thereafter be maintained. The dwelling hereby approved shall not be brought into use until the access, parking and turning areas have been completed in accordance with the approved plans.

Reason:- In the interests of Highway Safety in accordance with Core Strategy Policy DC1 and paragraph 108 of the NPPF.

12. The development hereby permitted shall not be brought into use until the surface water drainage interceptor, connected to the surface water outfall, has been constructed in accordance with the approved plans

Reason:- In the interests of Highway Safety in accordance with Core Strategy Policy DC1 and paragraph 108 of the NPPF.

13. 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 development as specified in Part 1 Classes A-E 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 to ensure that adequate private open space is retained within the curtilage of the building.

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. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraph 38.

2. Prior to and during the excavation and construction of the basement, the developer shall observe all responsibilities and obligations relevant to the Party Wall Act. They should ensure that before commencing the excavations, they are familiar with the nature and depth of the existing foundations to the boundary retaining wall and dwelling at 19 Well Lane, and be aware of how the excavations might affect those foundations. At all times the developer should do all that is necessary to safeguard the integrity of the neighbour's foundations and take any necessary mitigation or protection measures that might be required on the recommendation of a structural engineer or Building Inspector.

3. Should the access crossing to the site require alteration, it shall be constructed in accordance with submitted drawings and Staffordshire County Council 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 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,

Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)http://www.staffordshire.gov.uk/transport/staffshighways/licences)

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.

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.