STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Mr & Mrs Barks
Meadow View Bungalow
Cedar Hill
Alton
Staffordshire
ST10 4BQ

Application no: SMD/2023/0386

Determined on: 10/10/2023

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:
Plot 2 Hurstons Lane Alton Staffordshire ST10 4AP

Description of Development:
Variation of condition 2 relating to SMD/2021/0062

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 **9th April 2021** being the date of the original permission to which this variation of condition relates.
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 approved shall be carried out in accordance with the details including levels as submitted in the application form and submitted specifications and as shown in drawings:
1496 – 01J Elevations
1496 – 02J Floor and roof plans; site red edge location
1496 – AL33 Proposed site plan
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. The facing brickwork throughout the development shall be 'Ibstock Ivanhoe Cottage' or alternatively 'Terca Autumn Russet' and all roof tiling including hanging tiles shall be in Staffordshire Blue plain clay tiles. All hard surfaces to the site shall be finished in the materials and as specified in the site plan on drawing 1496 – AL33 laid to the areas as shown and there shall be no variation without the prior consent in writing of the Local Planning Authority.
Reason: To ensure that the works are appropriate to the Alton Conservation Area and harmonise with the surrounding development.

4. All fascias shall be in timber with rainwater goods mounted on rise and fall brackets to eaves finished with exposed rafters as shown in drawing 1496 – 01J.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the character of the Conservation area.

5. Unless otherwise agreed in writing by the Local Planning Authority (LPA) the existing trees on the site shall be retained and prior to the commencement of development (including any site clearance, stripping, site establishment and formation of new temporary or permanent access driveway) temporary protective fencing and advisory notices for the protection of the existing trees shall be erected in accordance with the guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and shall be retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the LPA with appropriate additional control measures in place.
Reason: To ensure appropriate safeguard for trees significant to the Conservation Area and local amenity.

6. The existing native species hedgerow boundaries to the site shall be retained throughout the life of the development as traditional hedgerows with native species.
Reason: In the interests of the character and appearance of the Conservation Area, biodiversity and public amenity.

7. Cills and lintels shall be in natural stone and the windows shall be timber sash to the design details submitted with the application sand the panes shall be subdivided as shown in the main elevations drawing 1496-01J or shall otherwise be completed in accordance with details which shall first have been submitted to and approved in writing by the LPA prior to fitting.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the character of the Conservation Area.

8. The roof light details are to be submitted to and approved in writing by the Local Planning Authority prior to installation and shall be fitted in accordance with the details

approved. Roof lights shall be of Conservation standard and shall be designed to fit flush with the plane of the roof and the frame shall have a black finish. The glazed area shall be subdivided vertically.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the character of the Conservation area.

9. Boundary details shall be as shown in drawing 1496-AL33 save that notwithstanding the submitted details the close board fencing shown to the NW boundary and to the first 9m of the SW boundary running SE from the NW boundary shall not exceed 1.6m in height and the pre-existing field gateway midway along the plot from Hurstons Lane shall be closed up by removing the gate and native hedgerow being planted to join across the gap between the existing hedges to either side. The approved boundary treatment shall be installed prior to first occupation of the development and the hedge shall be planted in the first planting season thereafter.
Reason: In the interests of the visual appearance of the development and the amenities of the area including the Conservation Area and to avoid a proliferation of disused access gateways.

10. 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 and porous material for a minimum distance of 5m back from the carriageway edge and the surfacing shall thereafter be retained.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

11. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

12. All noisy activities shall be restricted to the following times of operations.
08:00 - 18:00 hours (Monday to Friday);
08:00 - 13:00 hours (Saturday)
No working is permitted on Sundays or Bank Holidays.
In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during anti-social hours.

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 additional windows or any other openings other than

those shown on the approved plans shall be installed in any part of the development, unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason: To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

14. 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; AA; B; C; D; E; F and G and/or Part 2 Classes A; B and C, and Part 20 other than those expressly authorised by this permission, shall be carried out within the site 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 including the Conservation Area and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

Informatives

1. The access to the site shall be constructed in accordance with drawings to be submitted and with 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 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, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) http://www.staffordshire.gov.uk/transport/staffshighways/licences/

2. Condition 5 – tree protection. The intention with this condition is to enable the safe retention of prominent mature trees currently protected by virtue of being within the Alton Conservation Area and ensure appropriate working methods and construction techniques are adopted to this end.

3. 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 nor for the Conservation Area. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraphs 186-187.

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Signed by: Ben Haywood

On behalf of 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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

11. 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.

12. 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.

13. 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).

14. 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.