STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr and Mrs Shirley
Outlands
340 Cheadle Road
Cheddleton
ST13 7BW

Application no: SMD/2022/0391

Determined on: 15th Dec 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:
Outlands, 340 Cheadle Road, Cheddleton, Staffordshire ST13 7BW

Description of Development:
Proposed detached 4 bedroom dwelling on land adjacent to 340 Cheadle Road

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 approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
PL(0)2E site plan
PL(0)3 dwelling plan and elevations
PL(0)4 garage plan and elevations
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 external facing wall materials shall be brick to match the brick of the existing dwelling at 340 Cheadle Road and the external facing roofing materials shall be plain clay tiles to match the tiles of the existing dwelling at 340 Cheadle Road and there shall be no variation

in these materials without the prior consent in writing of the Local Planning Authority.
Reason: To ensure that the works harmonise with the existing development.

4. Unless otherwise agreed in writing with the Local Planning Authority the finished ground floor levels of the dwelling and garage hereby approved shall be no higher than the ground floor levels of the existing building at 340 Cheadle Road.
Reason: In the interests of good planning and to control the impacts of the development on the surrounding area including the living conditions for neighbouring dwelling residents and on the Green Belt.

5. Before 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 to be retained which shall include T1, T7, T12 and G1 as shown in the applicant's submitted arboricultural impact statement shall be erected in accordance with 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, unless otherwise agreed in writing with the Local Planning Authority (LPA). Within the fenced areas unless otherwise agreed in writing by the LPA 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.
Reason: In the interests of retaining protected and other trees significant to the amenities of the local area.

6. The development hereby approved shall be carried out in accordance with the Arboricultural Method Statement as set out at section 5 (paragraphs 5.1.1 to 5.6.1 inclusive) of the applicant's submitted arboricultural impact assessment and method statement 'August 2023' and there shall be no variation without the prior consent in writing of the Local Planning Authority.
Reason: In the interests of retaining protected and other trees significant to the amenities of the local area.

7. Within three months of the commencement of development (including any demolition, site clearance, stripping or site establishment) there shall be submitted to the Local Planning Authority a scheme of landscaping which shall be subject to approval in writing by the Local Planning Authority (LPA). Such a scheme shall in particular provide for reinforcement of existing hedgerows and planting of new native species hedgerows and trees and shall include full details of all new trees and shrubs, giving specification for species, positions, planting sizes and numbers/densities of all new planting and measures of protection against grazing livestock or other animals. The landscaping scheme as subsequently approved in writing by the LPA shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved or its first occupation whichever is the earlier. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and be maintained for the lifetime of the development.
Reason: In the interests of the visual appearance of the development and the amenities of

the area and in the interests of biodiversity.

8. The bird box and bat box recommendations contained in the applicant's submitted Preliminary Ecological Appraisal 'October 2023' paragraphs 125 to 128 inclusive shall be implemented before the development hereby approved is first brought into use and thereafter retained.
Reason: In the interests of biodiversity.

9. The development hereby permitted shall not be brought into use until:
(i) the widening of the access to the site within the limits of the public highway has been completed to serve the access entrance position shown in drawing PL02E.
(ii) the parking, servicing, and turning areas have been provided in accordance with Drawing PL02E and the parking, turning, and servicing areas shall thereafter be retained unobstructed as parking, turning, and servicing areas for the life of the development.
(iii) 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 site boundary in accordance with Drawing PL02E and this surfacing shall thereafter be maintained for the life of the development.
Reason: To comply with the NPPF; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

10. Any gates shall be located a minimum of 5m rear of the footway and shall open away from the highway. Nothing shall be placed, constructed, planted, or allowed to remain within 2.4m of the carriageway edge that is greater than 600mm in height above the adjacent carriageway level on the frontage of the development. Anything that is greater than 600mm in height within 2.4m of the adjacent carriageway shall be immediately removed.
Reason: To comply with the NPPF; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

11. At any time during and following the completion of the development all exterior lighting installations shall be erected only in accordance with the protocols contained in the Institute of Lighting Engineers document "Guidance for the Reduction of Obtrusive Lighting" (2005) and the Bat Conservation Trust's "Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting" (2014).
Reason: to minimise disturbance by artificial light to protected species including bats and minimise sky-glow across the site and in the interests of the visual appearance of the development and the amenities of the area.

12. 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; B; and E other than those expressly authorised by this permission, 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 in the interests of the Green Belt. .

Reason for Decision

Having considered the context of the site, the Planning Applications Committee considered

that the proposal constituted limited infilling within a village in accordance with policies contained in the National Planning Policy Framework and on that basis was not inappropriate development in the Green Belt.

Informatives

1. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

2. Severn Trent Water advise that there may be a public sewer located within the application site. Although their statutory sewer records do not show any public sewers within the site area specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert Severn Trent assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact Severn Trent at the earliest opportunity to discuss the implications of the sewer assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

3. The widening of the dropped crossing shall be constructed in accordance with drawings to be submitted and SCC requirements. Please note that prior to the access being constructed you will require a Section 184 Notice of Approval from Staffordshire County Council. Please email trafficandnetwork@staffordshire.gov.uk for further details. The link below provides an overview of the permissions and licences required for undertaking work on or adjacent to the adopted highway: https://www.staffordshire.gov.uk/Highways/licences/Overview.aspx.

4. 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. 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.