STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr Rob Duncan
Rob Duncan Planning
28 Ferndale Road
Lichfield
Staffordshire
WS13 7DJ

C/o Agent

Application no: SMD/2023/0454

Determined on: 6th March 2024

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 on NE Side of Rivendell Lane Leek Staffordshire

Description of Development:
Erection of 1no. Detached Bungalow

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 details as submitted in the application form and submitted specifications and as shown in drawings:
1797-04 Rev A
1797-05
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. Prior to construction of exterior walls above damp-proof course level and notwithstanding the submitted drawings details including types and colours (along with samples if requested) of all external facing walling and roofing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall

thereafter be carried out in accordance with the details as subsequently approved in writing.
Reason: To ensure that the works harmonise with the existing developments and character of the area.

4. The development hereby permitted shall not be brought into use until:
(i) the access to the site within the limits of the public highway has been completed;
(ii) 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 details to be first submitted to and approved in writing by the Local planning authority and the access in accordance with the submitted details as subsequently approved shall thereafter be retained for the life of the development;
(iii) the parking area has been provided in accordance with submitted Drawing Ref:1797-04 Rev A and the parking area shall thereafter be retained unobstructed as parking area for the life of the development;
(iv) the visibility splay shown on Drawing Ref:1797-05 has been provided and the visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
Reasons: to comply with the NPPF; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

5. Within one month of the commencement of development (including any demolition, site clearance, stripping or site establishment) there shall be submitted for approval in writing by the Local Planning Authority a scheme of landscaping which shall also incorporate measures to enhance biodiversity. Such a scheme shall include full details of all new tree, shrub and hedge planting, giving specifications for species, positions, planting sizes and numbers/densities of all new planting, including plant protection from wild mammals together with management proposals for any existing trees and hedgerows that are to be retained and measures for their protection in the course of the development along with details of all hard surfacing and boundary treatments to the site and details of the construction and vegetation of the retaining embankment along the north east edge of the site. Following approval in writing by the Local Planning Authority the landscaping scheme as approved shall be fully implemented before the end of the first available planting season (November to February inclusive) following the substantial completion and / or first coming into use of the development. 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 biodiversity enhancement

6. Prior to the substantial completion and / or first coming into use of the development whichever is the earlier the land profiling shown in drawing 1797-04 Rev A hereby approved shall have been carried out in accordance with the site levels, contouring and cross-sections as shown in the drawing and shall be so retained for the life of the development
Reason: In the interests of the visual appearance of the development and the amenities of the area.

7. No top soil shall be imported to the site until and unless it has been tested for contamination and assessed for its suitability for the proposed development; a suitable

methodology for testing this material shall be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validation evidence submitted to and approved in writing to by the Local Planning Authority.
Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

8. In the event that contamination is found at any time when carrying out the approved development it shall be reported in writing immediately to the Local Planning Authority. Development shall not continue further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If, following a site-based risk assessment potential risks to identified receptors are found, development shall not continue 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 prepared and submitted to the Local Planning Authority 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 shall be produced and shall be submitted to the Local Planning Authority for approval in writing.

9. Any waste material associated with the development hereby approved shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.
Reason: To protect the amenities of the area.

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. Please note that prior to the access crossing being constructed, a Section 184 Notice of Approval from Staffordshire County Council is required. Please email trafficandnetwork@staffordshire.gov.uk for further details.

3. This decision has been made following careful consideration of all the issues raised

through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

X

Signed by: Jane Curley

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.

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.