

Mr Rhodes
95 Tunstall Road
Biddulph
Staffordshire
ST8 6LB

Application no: SMD/2024/0113

Determined on: 19/06/2024

**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:
95 Tunstall Road Biddulph Staffordshire ST8 6LB

Description of Development:
Install new Dropped Kerb, remove front stone wall. Dig out part of front garden, build new retaining wall in block with Timber cladding. Tarmac hardstanding to create off road parking with aco drain and soakaway to front of hardstanding. Create new steps and path to the left for property access, remove hedge to the right side and install new fencing. Retain Hedge to the Left.

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 to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. Unless non-material variations are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents

detailed below:

- Layout 1 Rev 2
- Layout 2 Rev 2
- Layout 3 Rev 2
- Layout 5 Rev 2
- Sketch Rev 2

All above plans received by the Local Planning Authority on 15/05/24

-Site Location Plan

REASON: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

3. The materials to be used for the landscaping of the front garden shall be as specified on plan: Layout 3 Rev 2 and Layout 5 Rev 2, received by the Council on 15/05/24.

REASON: To ensure a satisfactory external appearance and for the avoidance of doubt.

4. The proposal hereby permitted shall not be brought into use until the access drive rear of the public highway has been provided in accordance with the approved plan titled Layout 2 Rev 2, and retained as such for the lifetime of the development.

REASON: To comply with NPPF; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

5. The access shall be completed within the limits of the highway as a vehicular dropped crossing.

REASON: To comply with NPPF; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

6. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary has been provided in accordance with the approved plan amended Layout 1 Rev 2 (dated 15/05/2024).

REASON: To comply with NPPF; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

7. The development hereby permitted shall not be brought into use until the wall has been reduced in height to a maximum height of 600mm in accordance with the approved plan titled Layout 5 (dated 15/05/2024) and shall thereafter be retained as such for the lifetime of the development.

REASONS: To comply with NPPF; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

8. Unless prior permission has been obtained in writing from the Local Planning Authority, 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 unsocial hours.

- 9.
- I. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records shall be retained for inspection by officers of the Local Planning Authority;
- II. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These shall be made available for inspection when required by officers of the Local Planning Authority;

REASON: To protect the amenities of the area during construction

Informative

1. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. The application has been assessed against adopted Development Plan policies (including paragraph 38 of the National Planning Policy Framework – December 2023) and any other material considerations.
2. The applicant is advised that work to construct the access crossing will require a Section 184 Notice of Approval from Staffordshire County Council.

3. 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>

Or for further details please email trafficandnetwork@staffordshire.gov.uk

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 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.