

Mr Bruce Johnson
B3 architectural
Miles Green Road
Stoke-on-Trent
United Kingdom
ST7 8LQ

Mr Ratcliffe
86 Froghall Road
Cheadle
Staffordshire Moorlands
ST10 1JT

Application no: SMD/2025/0421

Determined on: 01.06.2026

**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:

Garage Site at Froghall Road Cheadle Staffordshire ST10 1JT

Description of Development:

Change of Use and Conversion of Existing Garage Buildings
to from 2 no. of 'self build' dwellings.

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 approved 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:

DR-A-0101 Rev B – Location Plan

DR-A-0103 Rev A – Site Layout Plan

DR-A-0404 Rev C – Building 1 Plan and Elevations

DR-A-0405 Rev B – Building 2 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 walls shall be retained as exposed red brick for the life of the development. All new or repaired exterior wall finishes shall be completed in brick to match in colour, form and texture the brick of the existing buildings.

Reason: To ensure that the works harmonise with the existing development.

4. Prior to construction of the replacement roofing on each of the two buildings hereby approved to be converted details including types and colours along with samples if requested of all external facing 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 are of appropriate appearance for the location.

5. All development hereby approved 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.

Reason: To avoid the risk of disturbance to neighbouring dwellings / residential occupiers from noise during anti social hours.

6. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval in writing by the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason: To secure the satisfactory development of the site in terms of human health and the wider environment in accordance with Local Plan Policy SD4 and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

7. Within one month of the commencement of development and notwithstanding the plans hereby approved under condition 2 details of all boundary treatments and hard and soft landscaping, tree retention vehicular access including pedestrian visibility splays, surfacing, parking and turning areas and bin storage shall be submitted to the Local Planning Authority for written approval and prior to the first coming into use of any part of the development, subject to any agreed phasing of implementation, shall be completed in accordance with the design details as subsequently approved in writing and thereafter 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; to comply with the NPPF including Paragraph 140; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety and in the interests of flood zone management, biodiversity and main river access.

8. Before the development hereby approved is brought into use the road-facing boundary

shall as a minimum incorporate pedestrian visibility splays of 1.5m x 1.5m covering both sides of the site in accordance with a scheme drawing which shall first have been submitted to and approved in writing by the Local Planning Authority and the existing gates shall be removed. The pedestrian visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.

Reason: To comply with NPPF; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

9. By the end of the first full available planting season November to March following the coming into use of any part of the development hereby approved the details of a landscape planting scheme shall have been submitted in writing to the Local Planning Authority for its written approval and shall have been carried out and completed in accordance with the layout, schedules and specifications including plant protection from grazing livestock and wild mammals as subsequently approved. 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 November to March following their loss 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 appearance of the completed development in the street scene and in the interests of biodiversity.

10. For the life of the development hereby approved the areas within the application red edge and within the adjacent land shown by blue edge that are within the Environment Agency's defined 8m margin of the Cecilly Brook main river course shall at all times be kept free of built structures and/or storage of materials.

Reason: To assist in operational management and maintenance of the water course, to help improve flood flow and conveyance; and in the interests of biodiversity.

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.

12. Each residential unit in the development hereby permitted identified as such shall be constructed as a self-build or custom-build dwelling within the definition of self-build or custom-build housing in the 2015 Self-Build and Custom Housebuilding Act (as amended by the 2016 Housing and Planning Act or as defined within relevant successor legislation): For a period of 3 years from the completion of each of the dwellings identified as a self-build or custom-build dwelling in the development hereby permitted the occupation of the said dwellings shall be limited to the following individuals:

Plot 1 (aka B1) closest to Froghall Road Mr S Ratcliffe

Plot 2 (aka B2) second building east from Froghall Road Mr R Ratcliffe

their spouse, partner, widow or widower and to any resident dependents and the dwelling

shall be their sole or main place of residence.

Reason: To ensure that the development remains a custom / self-build development and is therefore a genuine exemption to Biodiversity Net Gain requirements in accordance with Schedule 7A of the Town and Country Planning Act 1990.

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; AA; B; C; D; and E; and/or Part 2 Classes A; B and C, 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, the integrity of the heritage asset and the setting of the adjacent Listed Building and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

Informatives

1. Coal Mining Low Risk Development Area - Standing Advice: The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

2. The Council is not aware of any application to add to or modify the Definitive Map of Public Rights of Way at this site location. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. The possibility of the existence of a currently un-recognised public right of way, makes it advisable that the applicant should pursue further enquiries and seek legal advice regarding any visible route affecting the land, or the apparent exercise of a right of way by members of the public.

3. In addition to obtaining planning permission: works, in, over or under, or within 8 metres of the top of the bank of any Main River may require a FRAP [Flood Risk Activity Permit] from the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016. For pre-application discussions, it is recommended the applicant contact the Environment Agency's area Partnerships and Strategic Overview (PSO) Team.

4. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. With the conditions as recommended 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 38.

5. In the event that the residential unit is not occupied by the person(s) notified under condition 12 above, the Council will consider occupation by other parties as a breach of planning control. In this case the Council will treat the completed dwelling as requiring demonstration of Biodiversity Net Gain uplift as per S98 Environment Act 2021 retrospectively. It will therefore require the applicant to re-apply for the constructed dwelling retrospectively as an open market dwelling, with all necessary Biodiversity Net Gain documentation including a Biodiversity Metric, Biodiversity Gain Plan and a Habitat Management and Monitoring Plan. Failure to do so may result in formal planning enforcement action.

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.
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.staffs Moorlands.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.