

Mr Adam Gregory  
Domestic Design  
Hunters Oak  
The Green  
Bagnall  
Staffordshire  
ST9 9JR

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Mr Howard  
Hillswod Lodge  
9 The Close  
Endon  
Staffordshire  
ST9 9LH

Application no: SMD/2014/0547

Determined on: 04/11/2014

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) England) Order 2010**

**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:**

Hillswod Lodge, 9 The Close, Leek Road, Endon, Staffordshire, ST9 9JH

**Description of Development:**

Bedroom extensions to care home (resubmission of 13/00995/FUL)

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 completed and maintained in complete accordance with the submitted amended plans and specifications as follows:-

DD-JH-07 Rev A  
DD-JH-08

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

2. The external facing and roofing materials, including the light rendered walls, roof tiles and gable end wall tiles, shall match in colour, form and texture those of the existing building and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:-

To ensure that the works harmonise with the existing development.

3. Temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected/retained in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations and as set out on Peter Jackson Developments "Pre-Commencement Tree Protection Plan" Drawing No. 2 dated 19.10.13 accompanying planning application SMD/2013/0998 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, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the Local Planning Authority.

Reason:-

In the interests of the character and appearance of the site.

4. No development hereby approved shall be brought into use until details of the parking and turning of vehicles within the curtilage of the site, which shall include details of surfacing, have been submitted to and approved in writing by the Local Planning Authority. The approved parking and turning areas shall thereafter be provided in accordance with the approved details before the development is brought into use and maintained free of obstructions for the life of the development.

Reason:-

To comply with NPPF policies; in the interests of the efficient use of The Close; to clarify the application.

### **Informatives**

1. The applicant is advised that the approved roof barge boards should be painted black in the interests of the appearance and design of the building.

2. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

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**Signed 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 the Councils Building Control Section.
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. **A fee is payable to us for the discharge of condition. Please refer to our web site : [www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk) for details.** 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. All other types of development

have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. 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.