

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT



Application number: 22/00289/FUL

Mr Andrew Beard
Spindrift
83 Main Road
Portskewett
Caldicot
NP26 5UG
United Kingdom

Applicant: Mr and Mrs S and R Hutchins

Description of development

Replacement dwelling (Use Class C3)

Location of development

Cranberry Cottage Post Office Lane Balterley

The Council of the Borough of Newcastle-under-Lyme in pursuance of powers under the above-mentioned Act hereby **PERMIT** the above development, in accordance with the submitted plans and other documents, subject to compliance with the conditions specified below. Failure to carry out the development in accordance with the permission/consent or to comply with any condition may make the permission/consent invalid and may lead to enforcement or other legal action

This decision does not convey any approval or consent which may be required under any enactment, by-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT



Application number: 22/00289/FUL

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason. To comply with the provisions of Section 91 of the Town and Country Planning Act.

2. The development hereby permitted shall be carried out in accordance with the following approved plans submitted with the application:-

- Drawing No. P1254/10 - Proposed Ground Floor Plan
- Drawing No. P1254/11 - Proposed First Floor Plan
- Drawing No. P1254/14 - Proposed Elevations
- Drawing No. P1254/13 - Proposed Elevations
- Drawing No. P1254/15 - Proposed Site Plan with existing footprint included
- Drawing No. P1254/12 - Proposed Roof Plan
- Drawing No. 010-101 - Proposed Landscaped Areas

Reason. For the avoidance of doubt and in the interests of proper planning.

3. No above slab level construction of the dwelling hereby approved shall commence until full and precise details of the following have been submitted to, and approved in writing by the Local Planning Authority;

- i. Facing and roofing materials
- ii. The proposed means of boundary treatment
- iii. Soft and hard surfacing material

The development shall proceed in accordance with the approved details

Reason: To ensure the satisfactory appearance of the development in accordance with policy CSP1 of the Newcastle-under Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the National Planning Policy Framework 2021

4. Notwithstanding any details shown on the approved plans, should the parking and turning area be surfaced in a loose material (gravel, crushed stone or similar), a 1m retaining strip shall be situated immediately behind the public footway and be constructed either from paving slabs, block pavers or porous tarmac. Should the parking and turning area be constructed from a bound and porous material, no retaining strip shall be required.

Reason: In the interests of highway safety in accordance with the aims and objectives of the National Planning Policy Framework 2021.

5. Any gates shall be situated a minimum distance of 5(m) from the site boundary and only opening inwards, away from the public highway.

Reason: In the interests of highway safety in accordance with the aims and objectives of the National Planning Policy Framework 2021.

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT



Application number: 22/00289/FUL

6. Construction activities which are audible beyond the site boundary, including deliveries, ground works and earth movements, shall be restricted to the following days and times:

- 08:00 - 18:00 Monday to Friday
- 08:00 - 13:00 Saturday

Construction shall not be undertaken on a Sunday or a public holiday.

Reason: In the interests of residential amenity in compliance with the aims and objectives of the National Planning Policy Framework 2021.

7. At least 1 parking space must be provided with a fully operational dedicated electric vehicle charging point. All other parking spaces shall be provided with passive wiring to allow future charging point connection. Charge points shall be a minimum of 32Amp with Type 2 Mennekes connections Mode 3 (on a dedicated circuit), or equivalent.

Reason: To ensure an adequate provision of spaces for charging plug-in vehicles and to sustain compliance with the adopted Newcastle under Lyme Borough Council Air Quality Action Plan 2019 to 2024, as per the objectives within paragraphs 105 and 181 of the National Planning Policy Framework 2021.

8. No above slab level construction shall take place until details of a surface and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved drainage scheme.

Reason: To secure proper drainage and to manage the risk of pollution to protect the Midland Meres & Mosses Phase 2 Ramsar Site and Black Firs & Cranberry Bog SSSI, in accordance with Paragraph 180 of the National Planning Policy Framework 2021.

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT



Application number: 22/00289/FUL

9. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall provide for:

- i. Measures to control run off in relation to the Black Firs and Cranberry Bog SSSI/Ramsar site;
- ii. the emission of dust and dirt during construction;
- iii. The parking of vehicles of site operatives and visitors;
- iv. Loading and unloading of plant and materials;
- v. Storage of plant and materials used in constructing the development

The development shall thereafter be implemented in full accordance with the approved details

Reason: To protect the Midland Meres & Mosses Phase 2 Ramsar Site and Black Firs & Cranberry Bog SSSI, in accordance with Paragraph 180 of the National Planning Policy Framework 2021.

Reason for the condition being pre commencement:

Issues relating to vehicle movements and construction are likely to arise once activities start on site. These issues need to be managed appropriately before development commences.

10. Prior to the commencement of development a dimensioned Tree Protection Plan to BS5387:2012 for the construction phase of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details.

Reason: To protect the trees within and overhanging the site in accordance with policy N12 of the Newcastle Local Plan 2011 and the requirements of the National Planning Policy Framework 2021

Reason for the condition being pre-commencement:

All stages of the construction process can result in damage and harm to trees.

11. Prior to the commencement of the development an Arboricultural Method Statement in accordance with BS5837: 2012 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with the aims and objective of the National Planning Policy Framework 2021.

Reason for the condition being pre-commencement:

All stages of the construction process can result in damage and harm to trees.

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT



Application number: 22/00289/FUL

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with the application

Following the submission of additional information, the proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.



Martin Hamilton
Chief Executive
Newcastle-under-Lyme Borough Council
Direct Line 01782 742408
[E-Mail planningapplications@newcastle-staffs-gov.uk](mailto:planningapplications@newcastle-staffs-gov.uk)

Date: 13 June 2022

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT



Application number: 22/00289/FUL

Notes to the applicant

You are advised that a report has been prepared which provides more details on the consideration of this proposal. The report is viewable as an "associated document" on line at <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00289/FUL>

Appeals to the Secretary of State

- 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.
- If you want to appeal against your Local Planning Authority's decision 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>
- The Secretary of State can allow a longer period 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.

Purchase Notices

- 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 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.