

L Hegarty  
19 Winton Vale  
Stafford  
ST18 0YT

CONTACT Frank Whitley  
DIRECT DIAL 07977 635985  
EMAIL [fwhitley@staffordbc.gov.uk](mailto:fwhitley@staffordbc.gov.uk)  
OUR REF WKS3/00034/EN22

28 April 2025

Dear Ms Hegarty

**Land at 19 Winton Vale**

Please see enclosed Breach of Condition Notice and a copy section of relevant legislation in respect of the above.

Yours sincerely

*FA Whitley*

Frank Whitley  
Planning Enforcement Officer  
Stafford Borough Council

# IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991)

## BREACH OF CONDITION NOTICE

Issued by Stafford Borough Council ('the Council'), reference WKS3/00034/EN22

To: Lucy Hegarty, 19 Winton Vale, Stafford ST18 0YT

**1. THIS NOTICE** is served by the Council under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this Notice. The Annex at the end of this Notice contains important additional information.

### 2. THE LAND TO WHICH THE NOTICE RELATES

Land at 19 Winton Vale, Stafford, Staffordshire, ST18 0YT ('the Land') shown edged red on the attached plan.

### 3. THE RELEVANT PLANNING PERMISSION

The relevant planning permissions to which this Notice relates are

- Reference 13/19661/FUL granted by the Council, dated 13 March 2014 for *Variation of conditions 4 and 23 of permission 13/18698/OUT-amended junction design to Tixall Road*. A copy of the location plan referenced 12/141/TR/010 RevD, relevant to this planning permission is enclosed with this Notice.
- Reference 14/20318/REM granted by the Council, dated 26 August 2014 for *Details of appearance, scale, layout and landscaping of proposed housing pursuant to outline permission 13/19661/FUL*. A copy of the decision notice is enclosed with this Notice.

### 4. THE BREACH OF CONDITION

Condition 4 of 14/20318/REM has not been complied with:

*(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no gates fences, walls or other means of enclosure shall be erected without the prior permission of the Local Planning Authority.*

Planning permission was refused by the Local Planning Authority on 15 March 2023 under Reference 22/35873/HOU for *retrospective planning permission*

*for the erection of a 2m high fence.* An appeal was dismissed by the Planning Inspectorate on 2 August 2023 under Reference APP/Y3425/D/23/3320112.

## **5. WHAT YOU ARE REQUIRED TO DO**

As the person responsible for the breach of condition specified in paragraph 4 of this Notice, you are required to comply with the stated condition by taking the following steps.

- (i) Remove to ground level, the fence indicated in the approximate position on the attached plan by the line coloured blue.
- (ii) Backfill postholes with topsoil to the same level as existing ground levels.
- (iii) Remove all fence and waste materials from the Land, as a result of completion of steps (i) and (ii).

The compliance period for the completion of steps (i)-(iii) ends on 28 August 2025

Dated: 28 April 2025

Signed: *FA Whitley*

On behalf of: Stafford Borough Council

Nominated Officer: Frank Whitley

Telephone Number: 07977 635985

## **ANNEX**

### **WARNING**

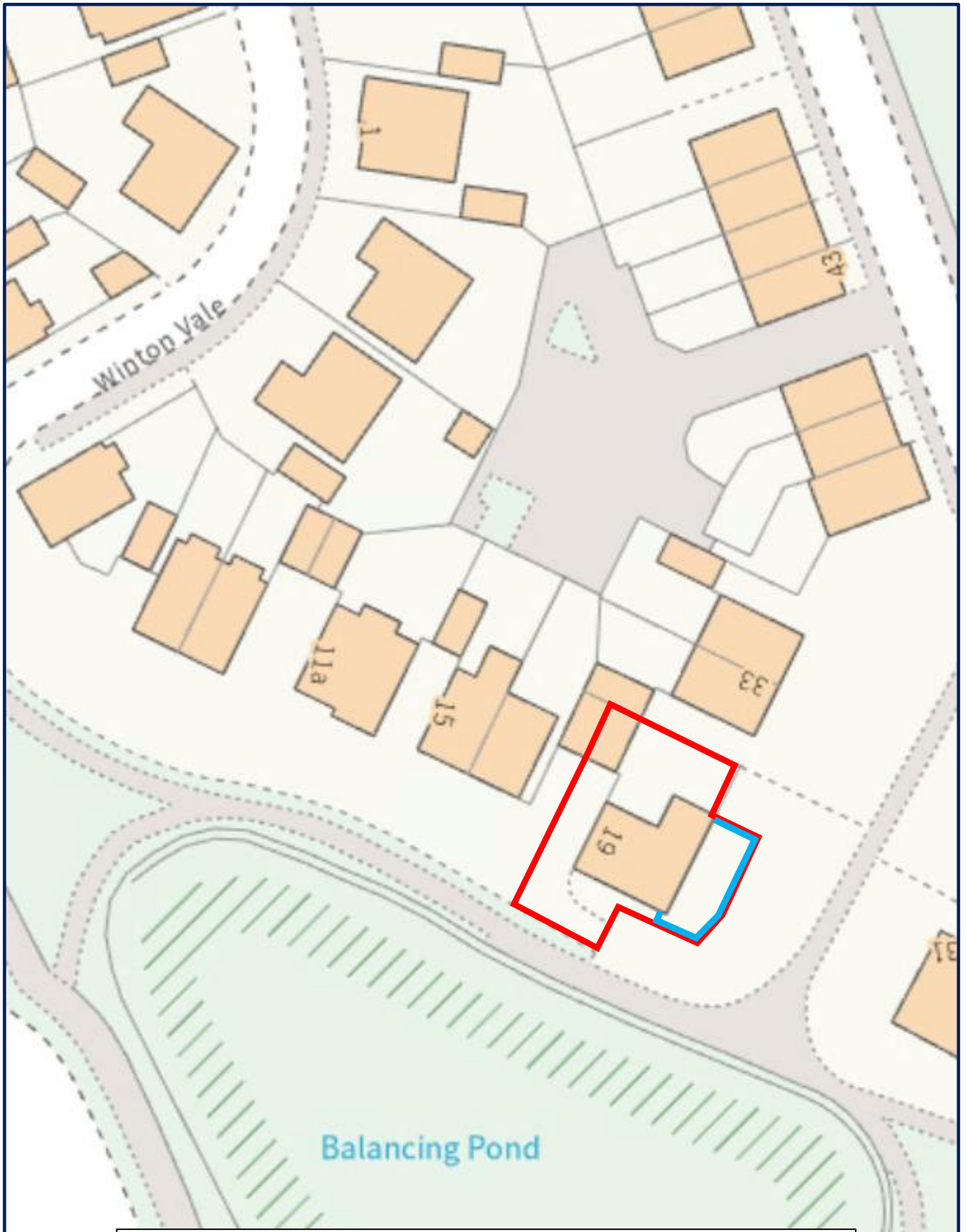
**THIS NOTICE TAKES EFFECT IMMEDIATELY AFTER THE TIME IT IS SERVED ON YOU IN PERSON, OR ON THE DAY YOU RECEIVE IT BY POST.**

**THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE**

It is an offence to contravene the requirements in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the penalty is unlimited for the first offence and for any subsequent offence.

If you are in any doubt about what this Notice requires you to do, you should get in touch immediately with the Council's nominated Officer.

If you do need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of this Notice, you may only do so by an application to the High Court for judicial review.



**Land at 19 Winton Vale, Stafford, ST18 0YT**

**Breach of Condition Notice**

**Stafford Borough Council reference WKS3/00034/EN22**



Bovis Homes Ltd & David  
Wilson Homes Mercia Ltd  
C/O Woods Hardwick Ltd  
Mr Jason Leonard  
15-17 Goldington Road  
Bedford  
Bedfordshire  
MK40 3NH

Date Registered 12 May 2014  
Decision Date 26 August 2014  
Issued Date 26 August 2014

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT

Application No: 14/20318/REM  
Proposed Development Details of appearance, scale, layout and landscaping of proposed housing pursuant to outline permission 13/19661/FUL  
Location Land North Of Tixall Road Stafford Staffordshire  
O. S. Reference: 394734 323476

Stafford Borough Council, in pursuance of powers under the Town and Country Planning Act, hereby permits the above development in accordance with the accompanying plans and subject to the following conditions :-

1. The approved plans are drawing nos. c-1114-01 Rev A; -02 Rev A; -03 Rev A; -04; -05; and -06 Rev A (six landscaping plans); 17141/100; /1006; /1007C (the approved housing layout); /1012A (Materials Layout); 17190/100;/101; /102; /103;/104; /109; /110; 17191/102; /103; /104; /105; /106; /107; /108; /109; /110; /111; /112; GTC-E-SS-0012\_R1-6\_1\_of\_1; Tree constraints plan 10586/AB; Tree retention and removal plan TIXA-03-082; TIXA-S241-01, -02; P302-01A, -02A, -03A; P303-01A,-02, -03; P308-01A,-02A,-03A; P401-01, 02, 03; P403- 01A, 02A, 03A; P404-01A, 02, 03; P409-01A, 02, 03; P410-01A; 02, 03; P502-01; 02; 03; C525-01A, 02,03; C551-01B, 02A, 03A; P603-01, 02; GAR-01; Garage Type GH1A; GH1B; GH2A; GH2C; GH3A; GH3C; GH3SP; GH4A; T322-E-5; T310-E-5; T338-E-5 (Plans and Elevations); T310-I-5; T322-I-5; SH27---5 (Plans and Elevations); SH35-E-5; P382-EB5; P382-IB5; H451---5; H451--S5; P206-E-5; P206-I-5; P341-E-5 (Plans and Elevations); H469--X5 (Plans and Elevations); H456---5 (Plans and Elevations); H406---5 (Plans and Elevations); H470---5 (Plans and Elevations); P470-E-5 (plans and Elevations); H408---5 (Plans and Elevations); Sales Garage (Rev E and F). The development shall be carried out in accordance with the approved plans and details except as required by other conditions of this consent and the outline consent and its conditions and except where alternative external materials or amended landscaping details have been agreed in writing by the Local Planning Authority.

**Stafford Borough Council**

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Bovis Homes Ltd & David Wilson Homes Mercia Ltd C/O Woods Hardwick Ltd Mr Jason Leonard 15-17 Goldington Road Bedford Bedfordshire MK40 3NH	Date Registered	12 May 2014
	Decision Date	26 August 2014
	Issued Date	26 August 2014

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2. Notwithstanding any information in the application, the development hereby permitted shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority:-

A) Minimum carriageway width of 4.2m for a distance of 5m rear of the adopted highway adjacent to Plots 5 and 358.

B) Visibility splays for access drives where they intersect adoptable roads.

C) Internal access road junctions shall benefit from visibility splays of 2.4m x 33m.

Development shall thereafter be carried out in accordance with the approved details and shall be completed for each house prior to its first occupation and shall thereafter be retained as such. The visibility splays shall be kept free of all obstruction to visibility at 600mm above the adjacent carriageway level.

3. The development shall not be brought into use until the parking, turning, manoeuvring and servicing areas have been constructed in accordance with the approved plans and thereafter they shall be retained.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no gates, fences, walls or other means of enclosure shall be erected without the prior permission of the Local Planning Authority.
5. The bin stores and cycle stores to serve each apartment building and shown on the layout shall be constructed before that apartment building is first occupied and shall thereafter be retained.

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6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended or as may be subsequently amended, the garages hereby approved, once constructed, shall be retained for the parking of vehicles. They shall not be used as or converted to habitable accommodation at any time.
7. The approved landscaping and planting scheme shall be carried out within 8 months of the completion of the construction of the last house or apartment building on the site.
8. Any tree, hedge or shrub planted as part of a landscaping scheme (or replacement tree/hedge) on the site and which dies or is lost through any cause during a period of 5 years from the date of first planting shall be replaced in the next planting season.
9. Notwithstanding any information in the application, where plans and particulars indicate that specialized construction work is to take place within the Root Protected Area (RPA) of any retained trees, hedgerows or shrubs, prior to the commencement of any development works, an Arboricultural Method Statement (AMS) detailing how any approved construction works will be carried out shall be submitted and agreed in writing by the local planning authority. The AMS shall include details on when and how the works will be take place and be managed and how the trees etc. will be adequately protected during such a process

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10. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard BS 3998:2010 Tree Work. (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority. (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the local planning authority.
11. The facing materials to be used in the development shall be those specified on plan reference 1012/A (Materials Layout) unless otherwise agreed in writing with the Local Planning Authority.

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The reasons for the Council's decision to grant permission for the development subject to the above conditions are:

1. To define the permission.
2. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
3. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
4. To safeguard visual amenity and in the interest of highway safety (Policies N1 and T1 of The Plan for Stafford Borough)
5. To define the permission.
6. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
7. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
8. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
9. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).
10. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

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11. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

INFORMATIVE(S)

- 1 The proposals are sustainable development in accordance with the National Planning Policy Framework

Head of Planning and Regeneration  
On behalf of the Council

**Stafford Borough Council**

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First City Limited/Bovis Homes Limited C/O First City Limited FAO Mr Graham Fergus 19 Waterloo Road Wolverhampton West Midlands WV1 4DY	Date Registered	12 December 2013
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### TOWN AND COUNTRY PLANNING ACT 1990

#### PERMISSION FOR DEVELOPMENT

Application No:	13/19661/FUL
Proposed Development	Variation of conditions 4 and 23 of permission 13/18698/OUT - amended junction design to Tixall Road
Location	Land North Of Tixall Road Stafford Staffordshire
O. S. Reference:	394818 323725

Stafford Borough Council, in pursuance of powers under the Town and Country Planning Act, hereby permits the above development in accordance with the accompanying plans and subject to the following conditions :-

1. This is an outline planning permission only and approval of the details of the strategic landscaping of the whole site and in particular to its boundaries (a reserved matter) shall be obtained in writing from the local planning authority before any development is commenced. Thereafter, approval of the details of the appearance, layout and scale of the development and its landscaping (the other reserved matters) shall be obtained from the local planning authority in writing for a phase of the development before any development is commenced in that phase.
2. Application for approval of the reserved matters shall be made to the local planning authority before 20 August 2016.
3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

First City Limited/Bovis Homes Limited C/O First City Limited FAO Mr Graham Fergus 19 Waterloo Road Wolverhampton West Midlands WV1 4DY	Date Registered	12 December 2013
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4. The approved plans are drawings nos. 12/141/TR/010 Rev C and Rev D with red site outline, as amended by the revised Tixall Road junction plan no. 12/141/TR/029, and /033 and /034 submitted with application 13/18698/OUT only. The Schematic Landscape Proposals plan and plan nos. A191/50 and A191/68 Rev B submitted with application 13/18698/OUT are not approved as they have been submitted for illustrative purposes only.
5. Applications for the approval of reserved matters shall be in accordance with the principles broadly described in the submitted Design and Access Statement (Parts 1 and 2) (March 2013) and the submitted Scale and Massing Statement, and as illustratively indicated on the submitted Schematic Landscape Strategy Proposals plan, all submitted with application 13/18698/OUT. Any reserved matter application shall include a statement providing an explanation as to how the design of the development responds to those principles.
6. All phases of the development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by Weetwood reference ref. 2078/FRA dated May 2012 (submitted with application 13/18698/OUT) and the following mitigation measures detailed within the FRA:

- 1, Limiting the surface water discharge to 41/s/ha for all storm events up to and including the 100 year plus climate change event.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.



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7. A phase of the development shall not take place until a surface water drainage scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including the 1 in 100 year critical storm plus climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The schemes shall also include details of how the scheme shall be maintained and managed after completions and they shall subsequently be implemented in accordance with the approved details before the phase is completed.
8. If, during development of a phase, contamination not previously identified is found to be present at the site, no further development in that phase (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this contamination shall be dealt with and obtained its written approval to it. The remediation strategy shall be implemented as approved for that phase.
9. On first occupation of each dwelling, the occupiers shall be given a 'Welcome pack' providing information on the locality. It shall include educational and awareness raising information addressing relevant ecological issues; e.g. (i) the location and sensitivities of nearby national and local designated sites; (ii) steps that residents can take to enjoy and conserve these local resources; and (iii) minimising disturbance to wild birds - key 'do's and don'ts' - such as the value of fitting pet cats with bells on their collars to minimise wild bird predation and keeping dogs on leads in order to help minimise disturbance to wildlife at sensitive times of year. The specific content of the welcome pack shall be submitted to and approved in writing by the Local Planning Authority prior to development in each phase commencing.

First City Limited/Bovis Homes Limited C/O First City Limited FAO Mr Graham Fergus 19 Waterloo Road Wolverhampton West Midlands WV1 4DY	Date Registered Decision Date Issued Date	12 December 2013 13 March 2014 13 March 2014
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10. No development shall be commenced on a phase of the development nor shall any machinery or material be brought onto that phase of the site for the purpose of development until full details of the measures to protect trees and hedgerows during construction within that phase have been submitted to and approved in writing by the Local Planning Authority. These shall include:

(a) Fencing. Protective fencing must be installed around trees and hedgerows to be retained on site. The protective fencing design must be to specifications provided in BS5837:2005 or subsequent revisions, unless agreed in writing with the Local Planning Authority. A scale plan must be submitted and approved in writing by the Local Planning Authority accurately indicating the position of protective fencing. No development shall be commenced on site or machinery or material brought onto site until the approved protective fencing has been installed in the approved positions and this has been inspected on site and approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of development.

(b) Tree Protection Area (TPA) The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the TPA. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, citing of site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the TPA, unless agreed in writing with the Local Planning Authority. The TPA shall be maintained during the course of development.



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#### TOWN AND COUNTRY PLANNING ACT 1990

##### PERMISSION FOR DEVELOPMENT

11. No demolition or construction works shall be carried out, nor shall any machinery be operated, and nor shall any deliveries be taken onto or despatched from the site in any phase except between 08.00 and 18.00 Monday to Friday and between 08.00 and 14.00 on Saturdays. There shall be none at any time on Sundays, Bank or Public Holidays.
12. No phase of the development shall be commenced until details of all boundary treatments and means of enclosure to that phase of the development have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment approved in respect of each phase shall be fully implemented before the first occupation of that phase of the development and shall thereafter be retained.
13. A phase of development shall not commence until a method statement for construction in relation to trees and hedges incorporating no dig methods for that phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter construction in that phase shall only be carried out in accordance with the approved methods.
14. Development in a phase shall not commence until details of the location and design, and the spread and intensity of illumination of street lighting in that phase have been submitted to and approved in writing by the Local Planning Authority. These shall include provision to minimise light pollution, light spillage and impact on wildlife. Thereafter, only the approved lighting shall be constructed and operated in that phase.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no gates, fences, walls or other means of enclosure shall be erected without the prior permission of the Local Planning Authority.

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16. Notwithstanding the provisions of condition 1, the location and design of the landscaping for the site shall be informed by the submitted Schematic Landscape Strategy Proposals and plan no. A191/68 Rev B (submitted with application 13/18698/OUT) showing targeted additional open space. It shall also address the need for connective habitats in landscape mitigation and shall in particular include the retention of existing trees and hedges where possible; details of badger and bat habitat loss mitigation; implementation, maintenance and management specifications and programmes; and shall also be informed by the recommendations of the submitted Land North of Tixall Road Ecological Assessment (March 2013) and Cannock Chase SAC Mitigation Strategy (March 2013).
17. A phase of development shall not commence until details of the measures to be used to limit water consumption in that phase have been submitted to and approved in writing. These shall include the use of systems to recycle used/grey water, restricted flow (Low Flow) plumbing, water metering and rainwater collection /storage in gardens and open areas. Thereafter, no dwelling in that phase shall be first occupied until the approved measures have been installed, are fully operational and they shall be retained.
18. No development in a phase shall be commenced until a noise report and any noise mitigation measures for that phase have been submitted to and approved in writing by the Local Planning Authority. It shall include all noise impacts on existing and proposed properties. Thereafter no dwelling in that phase shall be occupied until the approved mitigation measures have been implemented or constructed and they shall be retained.



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19. Development in a phase shall not commence until a method statement and/or specification and/or programme for the following environmental protection measures during the construction of that phase have been submitted to and approved in writing by the Local Planning Authority:-
- a) All demolition materials shall be removed from site and properly disposed of;
  - b) Facilities shall be provided at the site and used for damping down to prevent excessive dust in the air;
  - c) Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust in the air.
- Thereafter construction in that phase shall only be carried out in accordance with the approved details.
20. There shall be no burning on the site
21. A phase of development shall not commence until details of existing and proposed ground levels and proposed ground floor slab levels of dwellings in that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development of that phase shall only be carried out in accordance with the approved details.
22. A phase of the development shall not be commenced until details of the following have been submitted to and approved in writing by the Local Planning Authority:-
- a) The layout of parking, turning and servicing within the site curtilage;
  - b) Means of surface water drainage from all areas intended to remain in private ownership;

First City Limited/Bovis Homes Limited C/O First City Limited FAO Mr Graham Fergus 19 Waterloo Road Wolverhampton West Midlands WV1 4DY	Date Registered Decision Date Issued Date	12 December 2013 13 March 2014 13 March 2014
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c) Road construction including longitudinal sections and a satisfactory means of draining roads to an acceptable drainage outfall.

Thereafter no dwelling in that phase shall be first occupied until the approved works have been constructed and completed

23. Notwithstanding any information in the application, no development in any phase shall be commenced unless and until details of the on-site and off-site highway works shown on submitted drawing no. 12/141/TR/010 Rev C and as amended by drawing no. 12/141/TR/029 have been submitted to and approved in writing by the Local Planning Authority. They shall include two dimensional and three dimensional revisions as may be recommended by safety audits. Thereafter, the works shall be constructed in accordance with the following schedule:-

a) Prior to commencement of the construction of the 1st dwelling, construct the site access onto Tixall Road;

b) Prior to the occupation of the 1st dwelling, construct the continuous footway on the north side of Tixall Road from Wolseley Road to the junction of Tixall Road and Blackheath Lane, construct enhanced bus stop provision on Tixall Road, and extend the current 30 mph speed limit on Tixall Road to the junction with Blackheath Lane;



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- c) Prior to the occupation of the 101st dwelling, construct the secondary access facilitated by the extension of Hydrant Way and install a pedestrian crossing facility, construct the Tixall Road/ Blackheath Lane signal junction upgrade, and construct the signalisation of the road bridge over the canal on Baswich Lane, subject to the installation of temporary signals for a defined period to assess whether queuing and delay are within an acceptable tolerance as defined by Staffordshire County Council, the highway authority, and whether such signalisation is necessary.
- d) Prior to the occupation of the 131st dwelling, construct the Tixall Road signal junction at its intersection with the A513 Beaconside extension as shown on drawing no. 12/141/TR/029, and construct the A513 Beaconside extension between Hydrant Way and Tixall Road.
24. A phase shall not be commenced until details of measures to prevent the deposition of deleterious material on the highway during construction for that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development in the phase shall only be carried out with the implementation of the approved measures.
25. A phase shall not commence until details of (a) the parking space for vehicles of site personnel, operatives and visitors (b) loading and unloading arrangements for plant and materials and (c) a storage area for plant and materials for that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of that phase shall only be carried with the provision and use of the approved areas and in accordance with the approved arrangements. No such parking or storage shall be carried out elsewhere in the phase.

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26. No more than 100 dwellings shall be occupied unless and until either the Weston Road/Blackheath Lane signal junction scheme or the roundabout scheme secured under permission 13/18710 have been constructed.
27. Prior to the submission of any reserved matters application, a detailed layout plan including the movement framework, connections to the surrounding area for all modes of travel, connections through the site for pedestrians and cyclists, the residential street layout and character and the development phasing have been submitted to and approved in writing by the Local Planning Authority.
28. The detailed layout plan referred to in condition 27 shall be approved in writing by the Local Planning Authority prior to the submission of any reserved matters application and shall have full regard to the relevant details as may be approved in accordance with the conditions pursuant to planning permission 13/18697/OUT. All reserved matters submissions shall conform with the principles of the approved detailed layout plan
29. Notwithstanding the provisions of condition 1, no development shall be carried out unless and until details of the location, species and spacing of plants for a hedge to be planted along the northern verge of Tixall Road, to the west of the three armed road junction proposed, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the hedge shall be planted within 8 months of the completion of the construction of the junction. Any plants which die or are removed within 5 years of the date of planting shall be replaced in the next planting season.

The reasons for the Council's decision to grant permission for the development subject to the above conditions are:



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1. To enable the local planning authority to exercise proper control over these aspects of the development and to ensure that the development accords with local and national planning policy guidance.
2. The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
3. The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
4. To define the permission.
5. To ensure the satisfactory appearance of the development. (Saved Policy E&D1(ii) of the Stafford Borough Local Plan 2001).
6. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site (Section 10 of the National Planning Policy Framework).
7. To prevent the increased risk of flooding both on and off site (Section 10 of the National Planning Policy Framework).
8. The site has not been subject to a detailed intrusive investigation of ground conditions (Saved Policy E&D55 of the Stafford Borough Local Plan 2001).
9. To ensure that the development, as submitted, will not impact upon the features of special interest for which Baswich Meadows Site of Special Scientific Interest is notified (Section 11 of the National Planning Policy Framework).
10. To safeguard the character and appearance of the area. (Saved Policy E&D1(ii) of the Stafford Borough Local Plan 2001).

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11. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Paragraph 17 of the National Planning Policy Framework of the Stafford Borough Local Plan 2001).
12. To ensure an adequate level of privacy for the occupiers of the proposed dwelling(s). (Saved Policy E&D1(iv) of the Stafford Borough Local Plan 2001).
13. To ensure the satisfactory appearance of the development. (Saved Policy E&D1(ii) of the Stafford Borough Local Plan 2001).
14. To minimise the impact of artificial illumination on the surroundings and to assist the enhancement of biodiversity (Paragraph 17 and Section 11 of the National Planning Policy Framework).
15. To safeguard the character and appearance of the area. (Saved Policy E&D1(ii) of the Stafford Borough Local Plan 2001).
16. To maintain and enhance biodiversity (Section 11 of the National Planning Policy Framework).
17. To provide amelioration from water extraction that may otherwise affect the Cannock Chase Special Area of Conservation, in order to support and enhance biodiversity (Section 11 of the National Planning Policy Framework).
18. To safeguard the area from undue noise. (Saved Policy E&D5 of the Stafford Borough Local Plan 2001).
19. To safeguard the amenities of the area. (Saved Policy E&D1(iv) of the Stafford Borough Local Plan 2001).



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20. To safeguard the amenities of the area. (Saved Policy E&D1(iv) of the Stafford Borough Local Plan 2001).
21. To ensure the satisfactory appearance of the development. (Saved Policy E&D1(ii) of the Stafford Borough Local Plan 2001).
22. In the interests of the safety and convenience of users of the highway. (Saved Policy MV10a of the Stafford Borough Local Plan 2001).
23. In the interests of the safety and convenience of users of the highway. (Saved Policy MV10a of the Stafford Borough Local Plan 2001).
24. In the interests of the safety and convenience of users of the highway. (Saved Policy MV10a of the Stafford Borough Local Plan 2001).
25. In the interests of the safety and convenience of users of the highway. (Saved Policy MV10a of the Stafford Borough Local Plan 2001).
26. In the interests of the safety and convenience of users of the highway. (Saved Policy MV10a of the Stafford Borough Local Plan 2001).
27. In the interests of the safety and convenience of users of the highway. (Saved Policy MV10a of the Stafford Borough Local Plan 2001).
28. In the interests of the safety and convenience of users of the highway. (Saved Policy MV10a of the Stafford Borough Local Plan 2001).
29. To safeguard the visual amenities of the occupiers of houses in Kensington Drive and Blenheim Close (Saved Policy E&D1(iv) of the Stafford Borough Local Plan 2001).

##### INFORMATIVE(S)

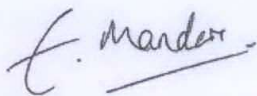
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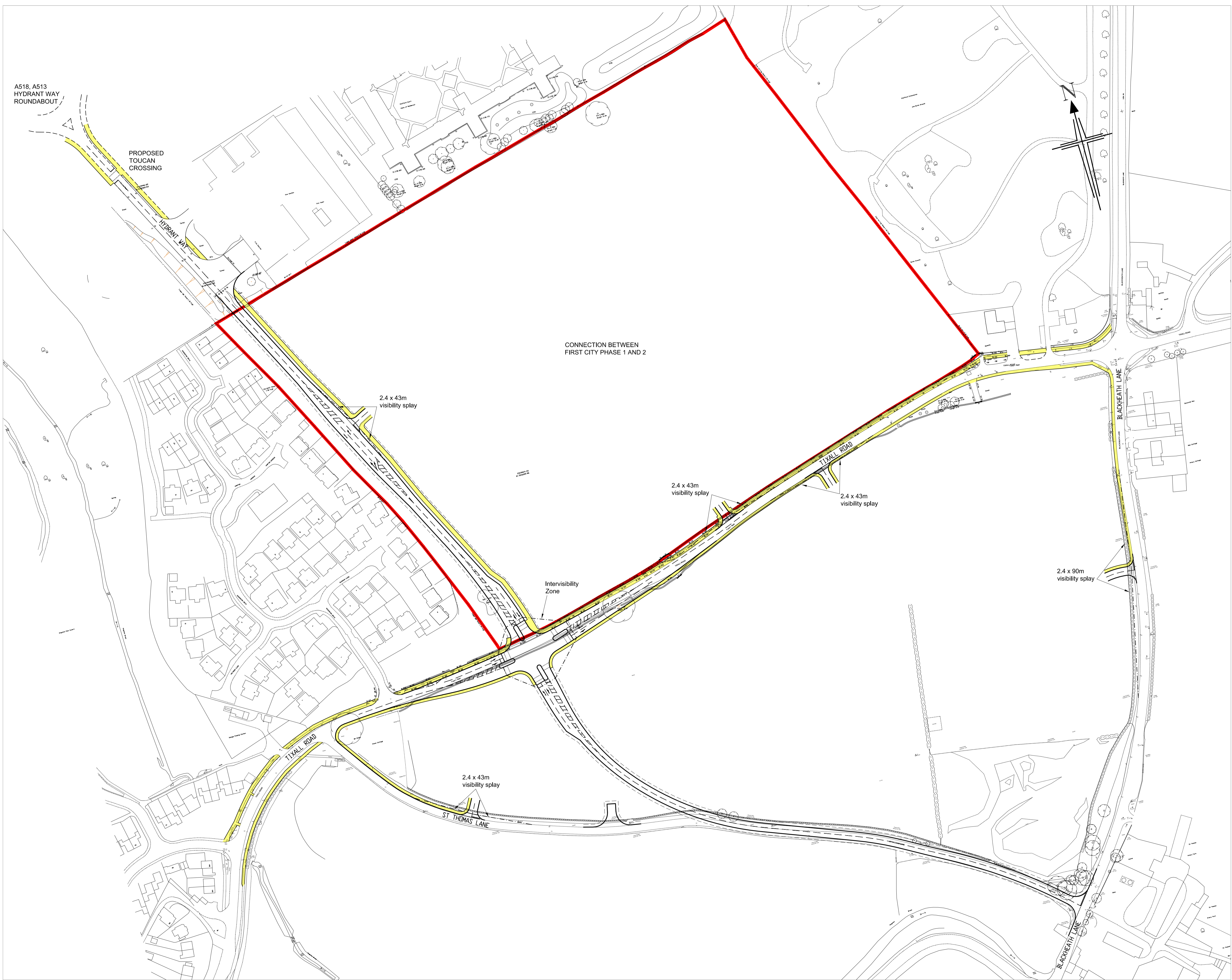
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- 1 The attention of the applicant is drawn to the attached advice of the Highway Authority and that advice of the Biodiversity Officer, the Tree Officer, Natural England, the Environment Agency, the Environmental Health Officer, the Police Architectural Liaison Officer and Severn Trent Water attached to planning permission 13/18698/OUT.
- 2 The applicant is advised of the need to secure appropriate licenses for works which would affect bats and other protected species
- 3 The proposals are sustainable development in accordance with the National Planning Policy Framework.



Head of Planning and Regeneration  
On behalf of the Council



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Materials not in conformity with relevant British or European Standards/Codes of practice or materials known to be deleterious to health & safety must not be used or specified on this project.

NOTES:

— First City red line boundary  
(Taken from drawing FC/1)

Rev:	Date:	Amendment:	DRN	CHK
D	21.05.13	Redline boundary added	CT	AC
C	10.05.13	Pedestrian crossing amended on Tixall Road west	IE	AC
B	25.02.13	Additional access onto St. Thomas Lane.	MA	SW
A	21.02.13	Turning head added and note amended	IE	SW

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CONSULTING CIVIL & TRANSPORTATION PLANNING ENGINEERS  
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Client: FIRST CITY / CEG

Status: PRELIMINARY

Scale: 1 : 1250 | Drawn: IE | Checked: AC  
A1 - 594 x 841

Project: STAFFORD EASTERN EXTENSION

Title: PROPOSED MEANS OF ACCESS AND  
BEACONSIDE EXTENSION, HYDRANT WAY  
TO BLACKHEATH LANE  
ALTERNATIVE SIGNAL ARRANGEMENT TIXALL ROAD

Drawing No: 12/141/TR/010 | Revision: D  
Job No: 12-141 | Date: 20/02/13

## TOWN AND COUNTRY PLANNING ACT 1990

- 187A -
- (1) This section applies where planning permission for carrying out any development of land has been granted subject to conditions.
  - (2) The local planning authority may, if any of the conditions is not complied with, serve a notice (in this Act referred to as a “breach of condition notice”) on:-
    - (a) any person who is carrying out or has carried out the development;or
    - (b) any person having control of the land, requiring him to secure compliance with such of the conditions as are specified in the notice.
  - (3) References in this section to the person responsible are to the person on whom the breach of condition notice has been served.
  - (4) The conditions which may be specified in a notice served by virtue of sub-section (2)(b) are any of the conditions regulating the use of the land.
  - (5) A breach of condition notice shall specify the steps which the authority consider ought to be taken, or the activities which the authority consider ought to cease, to secure compliance with the conditions specified in the notice.
  - (6) The authority may by notice served on the person responsible withdraw the breach of condition notice, but its withdrawal shall not affect the power to serve on him a further breach of condition notice in respect of the conditions specified in the earlier notice or any other conditions.
  - (7) The period allowed for compliance with the notice is:-
    - (a) such period of not less than twenty-eight days beginning with the date of service of the notice as may be specified in the notice;or
    - (b) that period as extended by a further notice served by the local planning authority on the person responsible.
  - (8) If, at any time after the end of the period allowed for compliance with the notice:-

- (a) any of the conditions specified in the notice is not complied with; and
  - (b) the steps specified in the notice have not been taken or, as the case may be, the activities specified in the notice have not ceased, the person responsible is in breach of the notice.
- (9) If the person responsible is in breach of the notice he shall be guilty of an offence.
- (10) An offence under sub-section (9) may be charged by reference to any day or longer period of time and a person may be convicted of a second or subsequent offence under that sub-section by reference to any period of time following the preceding conviction for such an offence.
- (11) It shall be a defence for a person charged with an offence under sub-section (9) to prove:-
  - (a) that he took all reasonable measures to secure compliance with the conditions specified in the notice;
  - or
  - (b) where the notice was served on him by virtue of sub-section (2)(b), that he no longer had control of the land.
- (12) A person who is guilty of an offence under sub-section (9) shall be liable on summary conviction -
  - (a) To a fine, if the land is in England, or
  - (b) To a fine not exceeding level 3 on the standard scale, if the land is in Wales.
- (13) in this section:-
  - (a) "conditions" includes limitations; and
  - (b) references to carrying out any development include causing or permitting another to do so.