

Little Stanneylands Stanneylands Road  
Cheshire  
SK9 4ER

Knights Professional Services Limited  
The Brampton  
Newcastle under Lyme

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Cheshire  
SK9 4ER

ST5 0QW

Application no: SMD/2016/0015

Determined on: 20/04/2016

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) (England) Order 2015**

**APPROVAL OF RESERVED MATTERS**

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:**

Land At Sugar Street Rushton Spencer Staffordshire

**Description of Development:**

Details of reserved matters application for appearance, landscaping and scale for residential development comprising 9 dwellings, including partial demolition of the existing cottage and garage pursuant to outline planning permission SMD/2012/0155 allowed on appeal (reference APP/B3438/A/12/2180250)

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development.

1.. The development hereby permitted shall be carried out in accordance with the following approved plans:

AL101 D (Site location), AL104 ( Topographical) AL 105 D (Site plan as proposed), AL 110A, AL 111A, AL 112 A, AL 113, AL 114A, AL 115A, AL 116A, AL 117 A, AL 118 A, AL 119 B, AL 120C, AL 121C, AL 122A, AL 123A, AL 124A, AL 126, AL 140 B, AL 141C,AL 142C,AL 143C,AL 144B, AL 145C, AL 146B, AL 147B, AL 148 B, AL 149 C, AL 150 C, AL 151A, LL53.1.01 (Landscaping)

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

2.Prior to the commencement of development, samples of all facing materials (including: headers / cills, render) and hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Evidence shall be provided to demonstrate that the hard surfacing accords with the drainage scheme to be submitted and approved under Condition 8 of the outline permission, 12/00364/OUT. The development shall be carried out in accordance with the approved details.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

3. Notwithstanding the submitted plans, no development shall commence until details of the proposed timber windows and doors have been submitted to and approved in writing by the Local Planning Authority. Detail should include the recess depth within the aperture (minimum 75mm), finish and glazing bar subdivision. The development shall proceed in accordance with the agreed details

To ensure an appropriate external finish in the interests of the character and appearance of the area.

4. The planting plan shown on Land Lizard Soft Landscape Design Drg. No. LL53.1.01 shall be fully implemented in accordance with the specification notes on that drawing before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:- To ensure an appropriate landscaping scheme is delivered in the interests of the character and appearance of the area.

5. Prior to the commencement of development full details shall be submitted to and approved in writing by the Local Planning Authority of all proposed retaining walls, the location of which shall be clearly identified on a site plan. Such details to include construction methodology, proposed height, sections and materials. The development shall be carried out strictly in accordance with the agreed details.

Reason:- To ensure an appropriate external finish in the interests of the character and appearance of the area.

6. Notwithstanding the submitted details and prior to the commencement of development, full details of the proposed finished heights for the stone boundary walling shown on Drawing 105D shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details.

Reason:- To ensure an appropriate external finish in the interests of the character and appearance of the area.

7. 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 fences, gates or walls shall be erected within the curtilage of any dwellinghouse hereby approved other than those expressly authorised by this permission.

Reason:- In order to control boundary treatments in the interests of the character and appearance of this rural and sensitive environment.

8. Notwithstanding the submitted plans no development shall commence until detailed plans of the eaves and verge detail have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.

To ensure an appropriate external finish in the interests of the character and appearance of the area.

## Informative

1.1. Amendments have been secured which have resulted in a scheme that is considered to be a sustainable form of development which conforms with the provisions of the NPPF.

2. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require exemption under S219-226 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

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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 on 0345 605 3012.
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.