STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

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Mr Nolan
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Coleshill
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Application no: SMD/2017/0586

Determined on: 22nd February 2018

**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 South Of Thorley Drive Cheadle Staffordshire

**Description of Development:**
Reserved matters for layout, appearance, landscaping and scale relating to application SMD/2016/0083

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 unless required by any other condition attached to this permission:
DO2 AC
DO4F
DO5G
DO6B
D10

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D11D
D101B
D102A
D103
D104
D105A
D107
D109
D110A
D112C
D113A
D114
D200D
D201F
D900F
Design and Access rev D

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

2. Notwithstanding the submitted details and prior to the construction of any of the dwellings hereby approved, details and samples of the proposed facing materials and hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter 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 details and plans no dwellings hereby approved shall be occupied until the open space containing the SUDS shown on drawing number D02 AC (Site Layout) has been securely fenced / gated off to prevent public access in accordance with a scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall provide details of access for future maintenance and management purposes only.
Reason:-To ensure appropriate access for maintenance and management of this area but preventing public access in the interests of public safety

4. No dwelling hereby permitted shall be brought into use until the parking and turning areas for that dwelling have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

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5. The garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. 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) they shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

6. Before the proposed development is brought into use, the emergency access shall be provided with dropped kerbs to facilitate its use as an emergency access and bollards positioned to prevent unauthorised use.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

7. The development hereby permitted shall not be brought into use until the access drives rear of the public highway have been surfaced in a bound and porous material for a minimum distance of 5m back from the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be maintained as surfaced in accordance with the approved details.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

8.The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor, connected to a surface water outfall or drained to SUDS principles, for any driveway, surfaced in non porous material that falls towards the public highway has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the dwelling to which they relate being first brought into use.
Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety

9. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the Local Planning Authority indicating the turning area adjacent to plot 23 constructed to the boundary of the site. The turning head shall thereafter be provided in accordance with the approved details.
Reason:-To safeguard potential future development in the interests of the proper planning of the area

10. 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):-
a) No development on plots 8, 9, 10 and 11 as specified in Part 1 Class(es) A, B, C D and E other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.
b) No development as specified in Part 1 Class F other than those expressly authorised by this permission, shall be carried out on any plot without the 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 neighbour amenity, ensure that adequate private open space is retained within the curtilage of the building and protect green frontages in the interests of the character and appearance of the development

11. Prior to the commencement of development a scheme for the future maintenance and management of all hedges shown to be retained on the Landscape Plan shall be submitted to and approved in writing by the Local Planning Authority. The hedges shall thereafter be maintained in accordance with the approved scheme
Reason:-To ensure that those hedges which are important to the external appearance of the development and character and appearance of the area are properly maintained and managed in the future.

12.The planting scheme shown on BM3 Architecture Ltd “Landscape Plan” Drg. No. 70160 D900 Rev F shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees, shrubs and wildflower/grass mix 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 secure the appropriate landscaping of the site in the interests of the character and appearance of the area.

13. Notwithstanding details shown on the Landscape Drg No. 70160 D900 Rev F, no permission is hereby implied or given for the woodland planting on the land to the south of the application site shown as land edged blue on the said plan.
Reason:- This area is referred to as a Buffer Planting Zone in the associated Section 106 Agreement dated 5th October 2016 and it is requirement of this Agreement for a scheme of planting to be agreed for this area, prior to the commencement of development and for it to be subsequently implemented in the first planting season following commencement and thereafter maintained.

14. Notwithstanding details shown on the submitted Boundary Plan, Drawing Number

D04 F, the hooped top metal railings shown around the LEAP shall be installed at a height of 1.2m and not 900mm as shown on this drawing.
Reason:- In the interests of safety of users of the play area.

**Informative**

1. The Council has entered into extensive negotiations with the applicant to secure a sustainable development that complies with the National Planning Policy Framework

2. No permission is hereby granted or implied for the Landscape Management and Maintenance specification (D902 rev A) which was withdrawn by the applicant on 7th February 2018. This document is a requirement of Condition 7 of application SMD/2016/0083 and should be submitted to discharge that condition

X B.J. Haywood

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**

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*Chief Executive*

**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 at buildingcontrol@staffsmoorlands.gov.uk

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.staffsmoorlands.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

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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.