STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Miss Kim Baldock
Colorset
Unit 2-3 Robin Hood ind Est
Nottingham

Darler
Wigmore House
Wigmore Lane
Luton
LU2 9TN

Application no: SMD/2017/0538

Determined on: 23/02/2018

Town and Country Planning Act 1990
Planning and Compensation Act 1991
Town and Country Planning (Control of Advertisement) (England) Regulations 2007 (as amended)

GRANT OF CONSENT TO DISPLAY AN ADVERTISEMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation other than Section 220 of the Town and Country Planning Act, 1990.

Location of Development:
53-55 Derby Street Leek Staffordshire ST13 6HU

Description of Development:
Fascia sign and projecting sign

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT CONSENT** for the display of advertisements for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

Leek 681 TUI Rebrand Issue Dated 20.02.2018 Issue N;
Location Plan;

Site Plan.

Reason:- For the avoidance of doubt and in the interests of proper planning and in accordance with the National Planning Policy Framework.

3. No direct source of light shall be visible to drivers on the highway.

Reason:- In the interests of highway safety.

4. a) Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

c) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason:- The above conditions a) - e) are standard conditions under the Town and Country Planning (Control of Advertisements) Regulations 1992, and in the interests of amenity and highway safety.

Informatives

1. During the course of the consideration of the application, the Council sought design amendments to the proposed signs to ensure that they were acceptable for this town centre and Conservation Area location. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the National Planning Policy Framework.

2. While the Highway Authority raises no objection to the sign overhanging the highway, the owner of the premises are required to take responsibility for the fixtures and fittings associated with the sign and be liable for future maintenance and any claims made relating to the sign. A licence under S50 Highways Act 1980 is required for a private sign overhanging the highway. Details are available at http://www.staffordshire.gov.uk/transport/staffshighways/licences/PrivateApparatus/InstallationofPrivateApparatus(Section50Licence).aspx

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X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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 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

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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.