STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

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Application no: SMD/2017/0696

Determined on: 15/03/2018

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 At Bridge End Macclesfield Road Leek Staffordshire

Description of Development:
Reserved matters relating to access, appearance, landscaping, layout and scale in relation to SMD/2013/1099

Approved Plans

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

- ABL 100A House Type 1 Plan (including handed unit)
- ABL 101 House Type 1 Elevation
- ABL 104D Proposed Site Plan (as received 7th March 2018)
- ABL 106 Location Plan
- ABL 107 House Type 1 Elevation (handed)

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

Materials and Boundary Treatment

2. Prior to the construction of any of the dwellings hereby approved, details and samples of 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/land.

3. Prior to the construction of any of the dwellings hereby approved, details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details prior to the first occupation of any of the dwellings.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties/land.

Removal of Permitted Development

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015), or any Order revoking or re-enacting or amending that Order with or without modification, no development within Schedule 2 Part 1, Classes A-E shall take place on the dwelling house(s) hereby permitted or within their curtilages unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:- For the avoidance of doubt and in the interests of proper planning. In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties/land.

Trees Protection

5. Prior to the commencement of development (including any site clearance, site stripping, site establishment, creation or alteration of site access, and removal/infilling of the disused reservoirs) temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and as set out in the Tree Heritage Arboricultural Report as submitted with the outline planning application SMD/2013/1099. The temporary protective fencing and advisory notices shall thereafter be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority (LPA). Within the fenced areas, there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties/land.

6. The landscaping scheme so approved 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 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.

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

Ecology

7. Prior to the commencement of development (including any site clearance, site stripping, site establishment, creation or alteration of site access and removal/infilling of the disused reservoirs), an updated badger survey must be carried out by a suitably qualified ecologist and the full survey details shall thereafter be submitted to and approved in writing by the Local Planning Authority (LPA). If badgers are located, an appropriate avoidance, mitigation and compensation plan shall be further submitted to and approved in writing by the LPA prior to the commencement of development as defined above. The development shall thereafter be carried out in accordance with the approved plan.
Reason:- In the interests of nature conservation.

8. Prior to the commencement of development (including any site clearance, site stripping, site establishment, creation or alteration of site access and removal/infilling of the disused reservoirs), a Construction and Ecological Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The CEMP shall include the following matters a) A check for the presence of hedgehogs has been carried out to confirm that none are present during the hibernation period 1st November- 31st March; b) Creation of sloping escape ramps for badgers/ hedgehogs by edge profiling by placing planks into them at the end of each working day and c) Open pipework greater than 150mm being planked off at the end of each working day. The development shall thereafter be carried out in accordance with the approved CEMP.
Reason:- In the interests of nature conservation.

9. Prior to the construction of any of the dwellings hereby approved, details of a lighting design plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme within the application site shall use low energy LED lighting to minimise light spill around the dwellings. Alternatively, low-pressure sodium lamps (SOX) are recommended, which shall be fitted with hoods to direct the light below the horizontal plane to minimise light-spill. Any security lighting shall be less than 200 lumens (150 watts) and placed on a timer setting and faced down to reduce sky glow. The use of artificial lighting must follow the protocols outlined in the Institute for Lighting Engineers document "Guidance for the Reduction of Obtrusive Lighting" (2005) and Bat Conservation Trust's "Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting" (2014) to minimise disturbance and sky-glow across the site. New artificial bat roosts and bird nesting sites shall not be illuminated. The lighting plan shall avoid illumination of the line of mature trees along the western access track, or use low level or directional lighting, so it can be clearly demonstrated that impacts on the foraging behaviour of bat or birds can be mitigated. The development shall thereafter be carried out in accordance with the approved details.
Reason:- In the interests of nature conservation.

10. In order that there is no disturbance to nesting birds, no ground clearance shall be carried out between 1st March and the end of 31st August in any year, unless a survey for

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nesting birds has been undertaken by a suitably qualified ecologist and it can be clearly shown that birds are not nesting in areas scheduled for vegetation clearance. The results of the survey shall be submitted to and approved in writing by the Local Planning Authority. If birds are nesting work must not proceed until the young have fledged and this has been confirmed in writing to the Local Planning Authority by a suitably qualified ecologist.
Reason:- In the interests of nature conservation.

11. Before the commencement of development (including any site clearance, site stripping, site establishment, creation or alteration of site access and removal/infilling of the disused reservoirs), an Ecological Management Plan (EMP) addressing ecological compensation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The EMP shall include:
a) Purpose and conservation of objectives of the proposed enhancements;
b) Detailed designs and or working methods to achieve stated objectives;
c) Extent and location of proposed works on appropriate plans and scale maps;
d) Type and source of material used where appropriate e.g. native species of local provenance;
e) Creation and enhancements of semi-natural habitats linked to Staffordshire and UK Biodiversity;
f) Action Plan priorities. In particular broadleaved native woodland and scrub, creation of species rich hedgerows, nectar rich habitats for gardens;
g) Pond design – shape, dimensions and planting to maximise biodiversity;
h) Creation of bird nesting boxes and a bat box scheme on mature trees;
i) Creation of groups of nest sites for house martin and swift on new buildings according to best practice methods;
k) Persons responsible for implementing the proposed works;
l) Timetable for the implementation of works demonstrating that works are aligned with the proposed phases of the development;
m) Details of initial aftercare and long-term maintenance for habitats and enhancements for 20 years post creation;
n) Details of monitoring and remedial measures, and,
o) Details of disposal of any wastes arising from works.
The approved management plan shall thereafter be implemented prior to the occupation of any dwelling development of the first phase and land to which the plan relates shall subsequently be maintained in accordance with the approved EMP.
Reason:- In the interests of nature conservation.

Highways

12. No dwelling hereby approved shall be occupied until details of the surface water drainage interceptor, connected to a surface water outfall 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 first occupation of any of the dwellings.
Reason:- In the interests of highway safety.

13. Prior to the commencement of development (including any site clearance, site stripping, site establishment, creation or alteration of site access and removal/infilling of the disused

reservoirs), a scheme for the retention of the cobbles as the surfacing material for the main access within the development site (in conjunction with Condition 9 of the outline permission ref. SMD/2013/1099) shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be constructed in accordance with the approved scheme prior to the first occupation of any of the dwellings.
Reason:- In the interests of highway safety.

14. No dwelling hereby approved shall be occupied until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.
Reason:- In the interests of highway safety.

Informative(s)

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. If badgers are present a licence to permit development may have to be obtained from Natural England to permit work to proceed.

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.

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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.