STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr N J Forrester
Building Design Services
Ilett House Smithy Bank
Stoke On Trent
Staffordshire
ST10 4AD

Mr Burns
Two Trees Macclesfield Road
Leek
Staffordshire
ST13 8PP

Application no: SMD/2018/0732

Determined on: 14/01/2019

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

FULL PERMISSION FOR DEVELOPMENT

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:
Two Trees Macclesfield Road Rudyard Leek Staffordshire ST13 8PP

Description of Development:
Proposed demolition of existing bungalow and construction of a new building including improvements to the existing vehicular access. Resubmission of previously refused application following amendments and additional information being provided

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** 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. Prior to any development above damp proof course samples of the roof tiles and facing brickwork shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

   Reason:- To ensure that the external appearance of the development is satisfactory.

3. The development hereby permitted shall not be brought into use until the parking,

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servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing ares shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.
Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy policy DC1; in the interests of highway safety.

4. The development hereby permitted shall not be brought into use until the improvements to the access have been provided in accordance with the approved plans.
Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

5. Nothing shall be placed, constructed, planted or allowed to remain within 2.4m of the carriageway edge that is greater than 900mm in height above the adjacent carriageway on the frontage of the development. Anything that is greater than 900mm in height within 2.4m of the adjacent carriageway shall be immediately removed.
Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy DC1; in the interests of highway safety.

6. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been reconstructed to a maximum gradient of 1 in 10 between the carriageway edge and the revised gate position.
Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy policy DC1; in the interests of highway safety.

7. Existing outbuildings identified to be removed on drawing number 18/507/06/A/B shall be demolished and disposed of prior to first construction of the replacement dwelling hereby approved.
Reason:- In the interest of the openness of the Green Belt.

8. Prior to the use of any facing or roofing materials a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development. Details of hard surfacing materials and boundary treatment. The approved scheme shall be implemented within first planting season following the occupation of the development.
Reason:- In the interests of the visual appearance of the development and the amenities of the area.

9. 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 development as specified in Part 1 Class(es) A - H and/or Part 2 Class(es) A - C, other than those expressly authorised by this permission, shall be carried out without 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 the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

10. The plans to which this decision relates are numbered 16/507/01, 16/507/05, 18/507/02C, 18/507/03C, 18/507/06B, 18/507/07B, 18/507/08D, 18/507/09A, 18/507/10B.
Reason:- In the interests of good planning.

Informative

This application is considered to constitute a sustainable form of development and so accords with the objectives of the National Planning Policy Framework.

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 BControl@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.
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