STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Staffordshire Moorlands District Council
Moorlands House, Stockwell Street, Leek
Staffordshire Moorlands, ST13 6HQ
Telephone: 0845 605 3013
www.staffsmoorlands.gov.uk

Application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	
Suffix	
Property name	Land South West Of
Address line 1	Ashbourne Road
Address line 2	
Address line 3	
Town/city	Leek
Postcode	ST13 5BJ

Description of site location must be completed if postcode is not known:

Easting (x)	399501
Northing (y)	355897

Description

2. Applicant Details

Title	
First name	
Surname	Green Gate Homes (NW) Ltd
Company name	
Address line 1	c/o agent
Address line 2	
Address line 3	
Town/city	

2. Applicant Details

Country	
Postcode	
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

3. Agent Details

Title	Mr
First name	Matthew
Surname	Wedderburn
Company name	Knights plc
Address line 1	HQ Offices
Address line 2	Nicholas Street
Address line 3	
Town/city	Chester
Country	United Kingdom
Postcode	CH1 2NP
Primary number	
Secondary number	
Fax number	
Email	

4. Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Proposed 12 dwellings with associated car parking and landscaping

Reference number

SMD/2016/0510

Date of decision (date must be pre-application submission)	30/11/2017

Please state the condition number(s) to which this application relates

Condition number(s)

Conditions 2 and 5

4. Description of the Proposal

Has the development already started? ○ Yes ◉ No

5. Condition(s) - Removal/Variation

Please state why you wish the condition(s) to be removed or changed

The LPA have requested a Section 73 variation of condition application in order to ensure that the development is taken forward in accordance with an approved drainage scheme.
Condition 5 requires that the development permitted shall only be carried out in accordance with a Drainage Strategy that does not reflect the approved layout. We therefore request that condition 5 be varied such that the development be carried out in accordance with the agreed drainage layout and the pumping station plan and elevations, unless otherwise agreed in writing by the local planning authority.
Condition 2 requires that the development be carried out in accordance with specified drawings. The drainage details would also require a consequential amendment to the layout plan referenced in condition 2, in order to show the pumping station compound.
Please see the accompanying statement by Knights plc for further details.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Condition 2:
"The development hereby approved shall be carried out in accordance with drawing numbers:
902 A000 Rev A - Location Plan
902-A-002 rev O - Proposed Site Plan
902 A004 Rev D – 3B5P Terrace (plot 1 and 6)
902 A005 Rev D – 4B7P (plot 7 to 12)"

Condition 5:
"Drainage
The development permitted shall be carried out in accordance with plan reference 17156 C-71 rev D - Drainage Layout and reference 902-A-DR-601 - 'Pumping station plan and elevations' unless otherwise agreed in writing by the local planning authority".

6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ◉ Yes ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

◉ The agent
○ The applicant
○ Other person

7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ◉ Yes ○ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title	
First name	
Surname	
Reference	

Date (Must be pre-application submission)

Details of the pre-application advice received

The scope and timing of this S73 application and its relationship to the discharge of conditions on SMD/2016/0510 has been discussed with the LPA (June / July 2019), initially with Ben Haywood (Head of Development Services, Staffordshire Moorlands District Council / High Peak Borough Council) (including at a meeting held between the applicants and Ben Haywood on Thurs 4 July 2019) and then agreed with Jane Curley (Senior Planning Officer). This S73 application should be determined after the application to discharge pre-commencement conditions (ref. DOC/2018/0077) thereby reducing the need to re-impose pre-commencement conditions on the new permission.

8. Ownership Certificates and Agricultural Land Declaration

CERTIFICATE OF OWNERSHIP - CERTIFICATE B - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

8. Ownership Certificates and Agricultural Land Declaration

I certify/The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant of any part of the land or building to which this application relates.**

*** 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. ** 'agricultural tenant' has the meaning given in section 65(8) of the Town and Country Planning Act 1990**

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant	
Number	
Suffix	
House Name	The Park,
Address line 1	Park Road,
Address line 2	Leek,
Town/city	Staffs
Postcode	ST13 8JS
Date notice served (DD/MM/YYYY)	27/08/2019

Person role

- ○ The applicant
- ◉ The agent

Title	Mr
First name	Matthew
Surname	Wedderburn
Declaration date (DD/MM/YYYY)	27/08/2019

☑ Declaration made

9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☑

Date (cannot be pre-application)	17/05/2019