STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Sammons Architectural Ltd
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Briand
Park View 2 Badgers Rise
Leek
Staffordshire
ST13 8YD

Application no: SMD/2019/0213

Determined on: 01/11/2019

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 Off Macclesfield Road Leek Staffordshire

Description of Development:
Approval of reserved matters following outline approval SMD/2013/1201

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.

Approved Plans

1. The development hereby permitted shall only be carried out in accordance with the following approved plans:
- 2019-2408-16A Location Plan
- 2019-2408-20M Site Plan
- 2019-2408-21B Plot 3-6 House type
- 2019-2408-22E Plot 9-10 House type
- 2019-2408-23B Plot 1-2 House type
- 2019-2408-24D Plot 11 House type
- 2019-2408-25A Plot 7-8 House type

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

Materials

2. The facing materials to be used in the construction of external walls and roofs of the dwellings and garages and hard surfaces shall consist of:

- Roof tile- Sandtoft 20/20 Interlocking Clay Tile - Antique Slate
- Facing brick - Ibstock Townhouse Blend
- Road- standard tarmac
- Driveways - Marshalls tegula driveway paviors charcoal
- Paths, patios and steps - Marshalls Pendle riven buff slab

Development shall be carried out in accordance with the approved details.
Reason:- In the interests of visual amenity.

Appearance Details

3. No development shall commence until details, including finish of all eaves, verges, windows (including head and sill details) and doors within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason:- In the interests of visual amenity.

4. All external doors (including garage) and windows shall be set back from the face of the building by a minimum of 70mm (new build).
Reason:- In the interests of visual amenity.

5. No development shall commence until a scheme of boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall include provision for 'hedgehog runs'. The boundary scheme shall be implemented in accordance with the approved scheme prior to the first occupation of the dwelling to which they relate and shall be maintained for those purposes at all times thereafter.
Reason:- In the interests of visual amenity, designing out crime and nature conservation.

Removal of Permitted Development

6. 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 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 on any plot 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, and,
c) No development as specified in Part 2 Class A 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.

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Reason:- In the interests of visual amenity.

Highways

7. The dwellings hereby approved shall not be occupied until the access to the site has been completed. The development hereby permitted shall not be brought into use 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.

Trees / Landscaping

8. Prior to the commencement of development, (including any site clearance, site stripping or site establishment) shall be the erection of temporary tree protection barriers fencing and advisory notices for the protection of the existing trees and hedgerows to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations and this shall be retained in position for the duration of the period that development takes place. 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.
Reason:- In the interests of visual amenity and nature conservation.

9. All hard and soft landscape works shall be carried out in accordance with the approved details shown on Drg. No. 2019-2408-20 Rev M (rec. 23rd October 2019), Planting Schedule (rec. 18th October 2019) and Planting and Five Year Maintenance Specification (rec. 18th October 2019). These works shall be carried out prior to the first occupation of any part of the development. All soft landscaping works shall be carried out and maintained in accordance with the approved details.
Reason:- In the interests of visual amenity and nature conservation.

Informative

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

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.