STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Andrew Bailey
MAC Architectural Design Limited
Moorland House 123 Moorland Road
Stoke on Trent
Staffordshire
ST6 1JD

Mr Harrison
Broad Oak Lane
Kingsley Moor
Staffordshire
ST10 2EL

Application no: SMD/2019/0378

Determined on: 20/10/2020

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:
Travellers Rest Leek Road Leekbrook Staffordshire ST13 7DR

Description of Development:
Approval of reserved matters relating to SMD/2019/0048

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.

1. The development hereby approved, including its siting, layout, elevational, roofing and surfacing materials, access road and footway siting and materials, boundary treatments and drainage system shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

1514-22 Rev B
1514-23 Rev A
1514-24 Rev B
1514-25 Rev B
1514-26 Rev B
1514-27 Rev A
1514-28 Rev A
1514-29 Rev A
1514-31 Rev A
1514-32 Rev A
1514-33

Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

2. The planting scheme shown on MAC Architectural Design Ltd "Site Plan" Drg. No. 1514-22 Rev B 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, shrubs, herbaceous plants and grass 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.
Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

3. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and these shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the Local Planning Authority. 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 in writing by the Local Planning Authority.
Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

4.The proposed windows above ground floor level on the south-west and north-east side elevations of the dwellings on plots 1 to 5 and 7 to 9 and the south-east and north-west side elevations of plot 6 as shown on the above drawings hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) those windows shall not be re-glazed with any transparent materials and shall not be enlarged or otherwise altered, nor shall any additional window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:-
To protect the amenity and living conditions of the proposed dwellings on site and adjacent existing residential properties from overlooking or perceived overlooking.

5. Prior to any development above slab level detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds and roosting bats, including a timetable for implementation, shall be submitted to and approved in writing by the local planning authority. The proposals shall be installed in accordance with the approved details and timetable and retained thereafter.
Reason:- To provide biodiversity enhancements on the site.

6. This notice of approval of reserved matters shall only relate to outline planning permission SMD/2019/0048.
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

7. Prior to the first occupation of the development hereby approved a plan showing the boundary treatment including the location, height, design and use of materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved boundary treatment shall be installed prior to the first occupation of the dwellings hereby approved.
Reason:- In the interests of residential amenity.
expect

Informative

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraph 38 of the NPPF.

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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

10. 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.

11. 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.