STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Robert McGuinness
RLM Associates
11 Ashdale Road
Leek
Staffordshire
ST13 6QZ

Mr & Mrs Carding
Gorseydale Cheddleton Heath Road
Leek
ST13 7DX

Application no: SMD/2020/0218

Determined on: 04/12/2020

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:
Gorseydale Cheddleton Heath Road Leek Staffordshire ST13 7DX

Description of Development:
Application for approval of reserved matters following outline permission SMD/2017/0494

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. This notice of approval of reserved matters shall only relate to outline planning permission reference SMD/2017/0494.
Reason:- For the avoidance of doubt.

2. The development hereby permitted shall be carried out in complete accordance with the following amended drawings:

RLM942/7 Rev M
RLM942/8 Rev D
RLM942/10 Rev D
RLM942/11 Rev C
RLM942/15 Rev C
RLM942/16 Rev C

Reason:-
For the avoidance of doubt.

3. Prior to the use of any facing or roofing materials, samples of the materials to be used in the construction of the external walls and roof of the buildings and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved materials.
Reason:-
In the interests of visual amenity

4. Unless otherwise agreed in writing by the Local Planning Authority, the measures outlined in the Gorseydale Construction Management Plan received on 9th December 2019 shall be implemented in full and maintained throughout the duration of the construction phase of the development.
Reason:-
In the interests of amenity and highway safety.

5. Unless otherwise agreed in writing by the Local Planning Authority, the recommendations set out in the Ecological Design Strategy for land at ""Gorseydale"" dated October 2019 shall be implemented in full and shall be thereafter maintained.
Reason:-
In order to contribute positively to the overall biodiversity of the area in accordance with Policy NE1.

6. The development hereby permitted shall not be brought into use until the parking and manoeuvring areas for the existing and proposed dwellings have been provided in accordance with the amended plan RLM942/7 Rev. M. The parking and turning areas shall thereafter be retained as parking and manoeuvring areas for the lifetime of the development.
Reason:-
In the interests of highway safety.

7. 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 additional windows or any other openings shall be installed in any part of the development, without express planning permission first being obtained from the Local Planning Authority.
Reason:-
To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

8. 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 further development as specified in Part 1 Class(es) AA, A to H, Part 2 Class(es) A to C or Part 20 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 protect the residential amenities of neighbouring residents.

9. The proposed first-floor rear bathroom windows on the south-east elevation of the Plot 1 dwelling and the south-west elevation of the Plot 2 dwelling 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 adjacent residential properties from overlooking or perceived overlooking.

10. Prior to the first occuation of the development hereby approved, details the location, size, means of enclosure and materials to be used for refuse bins on collection day shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.
Reason:-
In the interests of public health and safety.

11. Before the commencement of development, details of a scheme for sustainable construction techniques and design concepts shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed in exact accordance with the approved details.
Reason:-
In the interests of maximising the level of sustainability of the approved development in accordance with Policy DC1.

12. The boundary screen planting and associated new post and rail fencing shown on RLM Associates "Proposed Landscaping Scheme" Drg. No. RLM942/10 Rev D, and specifically along/adjacent to the eastern boundary adjacent to The Spinney, the western boundary of the site adjacent to Lighteaves, and the southern boundary of the application site, shall be fully implemented before the commencement of any groundworks or building works for the development hereby approved. The remaining planting proposals, also shown on Drg. No. RLM942/10 Rev D, shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. All 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.
Reason:-
In the interests of the appearance of the site and to protect the residential amenities of the area.

Informative

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

2. It should be noted that any advance planting to site boundaries carried out prior to commencement of groundworks and building works in accordance with Condition 12 of this reserved matters approval could potentially be at risk of damage from on-going construction activities, even though elements of the approved development itself are not in close proximity; this could arise from general access by personnel and/or vehicles, careless/inappropriate delivery and storage of construction materials, disposal of site waste or contaminated run-off. It is in the applicant's interest to ensure that all site operatives are made aware of the location of all such new planting and the need to avoid incidental damage to it, including implementation of whatever means considered necessary in the way of site induction and instruction, site management, supervision, monitoring and enforcement, and temporary physical barriers. The applicant's attention is drawn to the provision for required replacement of new planting which is removed, damaged, dies or otherwise fails to establish etc.

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.