STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Ms Lorraine Simpson
35 Broad Street
Leek
Staffordshire
ST13 5NX

Application no: SMD/2020/0631

Determined on: 28th April 2021

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:
35 Broad Street Leek Staffordshire ST13 5NX

Description of Development:
No:1 - change of use from commercial to residential
No:2 - replacement of all windows and doors
No:3 - removal of concrete render from front and rear of property

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. The development hereby approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
Location Plan at 1:1250 scale dated 22nd November 2020
Site Plan at 1:200 scale dated 22nd November 2020
Proposed floor plans at 1:50 scale
Proposed rear elevation at 1:50 scale
Reason: To ensure that the development is carried out in accordance with the submitted

details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Notwithstanding the submitted plans and condition 2 above the front elevation to Broad Street shall be fitted with windows in accordance with the details specified in the WWW quotation reference W2/21 supplied with the applicant's e-mail dated 19th February 2021 and shall incorporate vertical sliding sash windows to the ground and first floor levels and a three unit window with small panes as per the existing window to the top floor comprising a flush fitting side hung casement to each end section. Notwithstanding the colour finish referenced in the quotation all the exterior facing frame surface finishes shall be white or off-white to a wood-grain effect surface. At ground floor a solid natural timber boarded door shall be fitted with white painted external finish. All the windows and doors shall be fitted in their recessed historic positions and not brought forward in the wall openings. There shall be no variation in the condition 3 details without the prior consent in writing of the Local Planning Authority.
Reason: To protect and enhance the visual and historic integrity and appearance of the building as a non-designated heritage asset contributing to the character and appearance of the Leek Conservation Area.

4. Prior to any re-render of the surface to be exposed by the removal of the existing cement render the details of type and colour finish of the proposed new render shall be submitted to the Local Planning Authority for approval in writing and shall thereafter only be applied in accordance with the details as approved by the Local Planning Authority in writing.
Reason: To protect and enhance the visual and historic integrity and appearance of the building as a non-designated heritage asset contributing to the character and appearance of the Leek Conservation Area.

5. The residential use hereby approved shall be as a single dwelling and shall not be subdivided.
Reason: To ensure that an appropriate level of residential amenity in terms of space and light is maintained for the residents of the building.

6. Residential occupiers of the building shall at all times have access to the rear yard space of the building.
Reason: In the interests of the residential amenity of the occupiers.

Informative

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

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X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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.

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.