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Leek  
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ST13 6QZ

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Sandybrook Cheddleton Road  
Leek  
Staffordshire  
ST13 5QZ

Application no: SMD/2021/0253

Determined on: 18/06/2021

**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:**  
Sandybrook Cheddleton Road Leek Staffordshire

**Description of Development:**  
Erection of a detached dwelling within garden area of Sandybrook House following grant of previous outline and reserved matters approval, due to design and access changes to approved plans.

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 completed and maintained in accordance with the submitted plans and specifications as follows:-

RLM 1032 1 B  
RLM 1032 2 A

Reason:-

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

3. The finishing materials for the development shall comprise Forterra Hampton Rural Bland sand faced bricks and Marley Staffordshire Blue Smooth Clay Plain roof tiles for the approved dwelling and Tegula pavers for the hardstanding areas.

Reason:-

In the interests of the character and appearance of the area.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) no door, window or other opening shall be formed in the dwelling hereby permitted other than those shown on the approved plans unless a further permission has first been granted on application to 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.

5. 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 F, Part 2 (Class(es) A to C and 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.

6. All proposed rear windows above ground floor level in the east elevation of the proposed 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 adjoining residential property from overlooking or perceived overlooking.

7. The development hereby permitted shall not be brought into use until the access to the site

has been completed in accordance with the approved plans.

Reason:-

In the interests of highway safety/

8.The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced in a bound and porous material for a minimum distance of 5m back from the carriageway edge in accordance with the approved plans.

the surfacing shall thereafter be maintained. Reason:-

In the interests of highway safety/

9.Any gates shall be located a minimum of 5m rear of the carriageway boundary and shall open away from the highway.

Reason:-

In the interests of highway safety/

10.The development hereby permitted shall not be brought into use until the parking and turning areas shown on the approved plans have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:-

In the interests of highway safety/

11. The development hereby permitted shall not be brought into use until details of the 2.4mx43m visibility splay to the east along Sandybrook Lane and 2.4mx24m visibility splay to the west (to the tangent point on A520 Cheddleton Road) have been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall be provided in accordance with the approved details prior to the development being first brought into use and shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:-

In the interests of highway safety/

12.The first action on commencement of development, prior to any further action (including any further site clearance, site stripping, site establishment or formation or 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 protect existing trees and other vegetation on the site in the interests of visual amenity

13. The hedging as existing shall be permanently retained to the Cheddleton Road and Sandybrook Lane boundaries of the site, other than where limited removal is directly required in order to accommodate the new access onto Sandybrook Lane and allowing for planting and establishment of new hedging behind the existing hedge to Sandybrook Lane and subsequent removal of existing hedging only after the replacement plants are substantially established and provided as described and shown on the application ""Block and Location Plans"" Drg. No. RLM1032/1 Rev B. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive) unless otherwise agreed in writing by the local planning authority and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.

Reason:-

To protect existing trees and other vegetation on the site in the interests of visual amenity

14. The implemented new hedge planting shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

### **Informatives**

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. Land ownership is to the carriageway edge. S184 notice is not required. However, highway kerbs do need to be lowered which will involve work on the highway. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk)).

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Signed by: Ben Haywood

**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 [BControl@staffsmoorlands.gov.uk](mailto:BControl@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](http://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.

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