

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

Mr Carding
Gorseysdale Cheddleton Heath Road
Leek
ST13 7DX

Application no: NMA/2022/0001

Determined on: 09/03/2022

Town and Country Planning Act 1990 (as amended)

NON MATERIAL AMENDMENT FOR DEVELOPMENT

Location of Development:

Gorseysdale Cheddleton Heath Road Leek Staffordshire ST13 7DX

Description of Proposal:

Non material amendment in relation to Condition 12 of SMD/2020/0218

In pursuance of its powers under the above Act, the Council hereby **Approves** the proposed non material amendment for the above development in accordance with the application validated by the Local Planning Authority on 03/02/2022 and plans accompanying the application numbered "Location Plan 3A".

Condition 12 of approval SMD/2020/0218 has been amended to the following:

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 the construction of the dwellinghouses 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.

The applicant is advised that this Decision Notice should be read in conjunction with the Decision Notice approving planning applications SMD/2017/0494 and SMD/2020/0218 and that all other conditions attached to those approvals still apply.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework (February 2019). The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 96A of the Town and Country Planning Act 1990.
2. The application is approved 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.
3. This application is approved and may be subject to conditions from the original decision notice. 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. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** 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. Any other conditions on this approval 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.