STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr Martin Levie
Harrison Wood Consultancy Ltd
Unit 3, Studio 2 Silverdale Enterprise Centre
Silverdale
Newcastle-under-Lyme
ST5 6SR

Mr and Mrs Donnan
Ivy Cottage
126 Ladderedge
Leek
Staffordshire
ST13 7AQ

Application no: SMD/2023/0350

Determined on: 19/09/2023

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:
Ivy Cottage 126 Ladderedge Leek Staffordshire ST13 7AQ

Description of Development:
Variation of Condition 2 in relation to application SMD/2022/0603.

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 approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings: HWA 1687: 0010 B July 2023; 009 D; 008 C; 007 C and 006 C.
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.

2. The external facing and roofing materials shall be as stated in the application using white render and natural stone as shown in the drawings hereby approved for the walls and Staffordshire Blue Marley Hawkins Plain tiles for the roofing and there shall be no variation without the prior consent in writing of the Local Planning Authority.
Reason: To ensure that the external appearance of the development is satisfactory and that the works harmonise with the location.

3. Where stone is used in the exterior walls as shown in the plans hereby approved this shall be natural sandstone laid in even level courses and there shall be no variation without the prior consent in writing of the Local Planning Authority. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and

shall not include 'tuck', 'strap' or 'recessed' pointing.
Reason: To ensure that the external appearance of the development is satisfactory and that the works harmonise with the location.

4. All noisy activities shall be restricted to the following times of operations.
08:00 - 18:00 hours (Monday to Friday);
08:00 - 13:00 hours (Saturday)
No working is permitted on Sundays or Bank Holidays.
In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during anti-social hours.

5. The development hereby permitted shall not be brought into use until (i) drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority, and (ii) the scheme of drainage has been implemented in accordance with the approved details.
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

6. The development hereby permitted shall not be brought into use until the parking and turning area for the proposed development has been provided as detailed in submitted drawing HWA 1687 010 rev B July 2023. Those areas shall thereafter be retained unobstructed for the parking and turning of vehicles.
Reason: In the interests of highway safety.

7. Before the end of the next available planting season Nov to Feb a new continuous hedge shall have been planted alongside the site garden boundary with no.14 The Heights comprising Cherry Laurel (Prunus lauroceracus) which shall be allowed to grow to at least 2.0m in height. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the same form and size as originally planted. The hedge plants shall thereafter be retained and maintained to a growing height in the range of 2.0m to 3.5m above ground level.
Reason: In the interests of the visual appearance of the development and the amenities of the area including the living conditions of adjacent neighbours.

8. The development hereby permitted shall not be brought into use until the two first floor windows in the easterly facing side elevation – right hand side elevation in drawing HWA 1687 / 009 revision D – hereby approved have been fitted with obscured glazing with a level of obscuration equivalent to at least level 4 (minimum) in the Pilkington range. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, 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: In the interests of establishing and maintaining privacy from overlooking by the

development hereby approved for the occupiers of nearby neighbouring residential properties.

Informatives

1. Severn Trent Water advise that there may be a public sewer located within the application site. Although their statutory sewer records do not show any public sewers within the site area specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert Severn Trent assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact Severn Trent at the earliest opportunity to discuss the implications of the sewer assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

2. The recommendation leading to this decision has been made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.

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.

13. Domestic sprinklers. Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1. If you would like further advice please contact Staffordshire Fire and Rescue Service www.staffordshirefire.gov.uk).

14. Working smoke alarms correctly positioned in your home can save your life. The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.