STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Richard Pigott
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Mr Hurst
The Orchard Springfield Drive
Leek
Staffordshire
ST13 6ET

Application no: SMD/2023/0440

Determined on: 21/11/2023

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:
The Orchard Springfield Drive Leek Staffordshire ST13 6ET

Description of Development:
Alterations and extensions to The Orchard and reconfiguration of site access to enable the dwelling to be accessed from Deebank Heights

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, including the building materials specified, shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-
2015-2095-88C
2015-2095-89C
2015-2095-93A

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

3. 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 existing dwelling or extensions 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 properties from overlooking or perceived overlooking and the visual amenities in the area.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Panning 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.

5. No trees shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved in writing by the Local Planning Authority. 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 the visual and residential amenities of the site and the ecological value of the area.

6. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping, site establishment or formation/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 generally as set out in the Tree Heritage Ltd arboricultural report reference THL-R21-155-A dated 17th June 2022 submitted in support of the application hereby approved subject to the requirement to also similarly erect such temporary tree protection barriers in respect of trees T12 and T13 other than where the proposed new driveways as hereby approved would encroach within the Root Protection Areas of these trees. These tree protection barriers 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 the visual and residential amenities of the site and the ecological value of the area.

7. Before the commencement of development (including any demolition, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) full details of all tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include full construction specification for a no-dig cellular confinement system for the proposed driveways where these encroach within the Root Protection Areas of trees to be retained, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees on and adjacent to the application site, to include details for the provision of suitable temporary ground protection measures for all Root Protection Areas outside the protection barriers where these are used for any temporary or permanent vehicular access in connection with the construction and completed use of the development hereby approved. All approved ground protection measures shall be provided at the outset of development before any works commence and maintained in place for the duration of the period that development takes place or until any no-dig cellular confinement system for the new permanent drives is in place. Such method statement and protection measures shall specifically include details and sequences to ensure that appropriate measures are implemented to protect tree roots from the initial outset of any construction activity. Thereafter, the development shall be constructed only in full accordance with details approved under this condition.
Reason:-
To protect the visual and residential amenities of the site and the ecological value of the area.

8. Notwithstanding any indication on the plans hereby approved, no approval is given for the details of site landscaping and within two months of the commencement of the development a comprehensive landscaping scheme shall be submitted to and approved in writing by the local planning authority. The submitted landscaping scheme shall include full details of all proposed new trees, shrubs and other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. Once approved, the submitted landscaping scheme shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs etc 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:-
To protect the visual and residential amenities of the site and the ecological value of the area.

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9. The development hereby permitted shall not be brought into use until the access, parking and turning areas 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.

10. There shall be no vehicular access to the site from Springfield Drive at any time. This access shall be for pedestrian use only. Prior to the first occupation of the development the existing vehicle access from Springfield Drive shall be permanently closed and a pedestrian gate of no more than 1m in width shall be installed across the pedestrian access where it adjoins Springfield Drive itself and this gate shall be maintained in situ for the life of the development.
Reason:
In the interests of residential amenity

Informative

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

X B.J. Haywood

Signed by: Ben Haywood

On behalf of 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.

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.

12. 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)

13. 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.

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.