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C P Harvey
c/o Hewitt & Carr Architects

Application no: SMD/2023/0587

Determined on: 09.04.2024

**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:

LAND AT BACK LANE Belle Vue Road Leek Staffordshire

Description of Development:

Proposed detached 4 bedroom dwelling with retaining wall. Temporary structure to be erected then removed upon completion of the dwelling.

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 permitted shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings: AL(0)01H, AL(0)02E, AL(0)03D, and AL(0)04D.

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. At the start of ground clearance and during any period of excavation including for foundation footings and for drainage the developer shall appoint a suitably qualified archaeologist to monitor the work by way of visits to the site during the excavation works and which visits shall be documented and all findings and/or observations which could be indicative of the past historic use of the land or site shall be recorded. A post

monitoring written report shall be compiled by the appointed archaeologist and shall be submitted to the Local Planning Authority and approved in writing prior to the development being brought into use.

Reason: In the interests of heritage recording and the better understanding of the site's potential historic past.

4. Drainage plans for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of exterior walls above damp-proof course level. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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.

5. The external facing material finishes for the walls, roofing and hard landscaping surfaces shall be as submitted in the materials schedule Rev A (06.08.2021) ref 00982 and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of the appearance of the development and in interests of the character and appearance of the area.

6. The hard and soft landscaping (including boundary treatment) as shown in drawings AL(0)03D, and AL(0)04D shall be implemented within 3 months of the completion of the development, save that any soft landscape planting shall be completed by the end of the first available planting season following the first occupation of the development and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the visual appearance of the development and the amenities of the area.

7. Before the proposed development is brought into use the parking and turning areas shall be provided generally in accordance with the approved Drawing No. AL (0)01 H, the subject of this consent, and shall thereafter be retained for the life of the development.

Reason: To comply with NPPF Paragraph 108; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

8. Upon completion and/ or first occupation of the development hereby approved whichever is the earlier the temporary static caravan shown on Drawing AL (0)01 H shall be removed from the land.

Reason: In the interests of the visual appearance of the development and the amenities of the area.

9. The window(s) in the east side elevation facing The Bungalow shall be installed with obscured glazing. 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: To protect the amenity of neighbouring occupiers.

10. 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 Planning Authority.

Reason: In the interests of amenity given the constrained nature of the site.

Informatives

1. SCC Archaeology service advise the Applicant / developer to please note that in May 2018 Staffordshire County Council's Historic Environment Team, archaeological advisors to Staffordshire Moorlands District Council, introduced a charged-for curatorial service for planning applications with archaeological conditions. Their curatorial service will be charged at a single fee per application and may include: production of a brief/specification (where deemed necessary), review and validation of any submitted written schemes of investigation, monitoring visits (if deemed necessary), review and validation of any submitted reports, liaison with local planning authority and anything that will enable us to recommend discharge of conditions. Fees are based on the size of the development. The production of a brief/specification to inform the tendering process and additional monitoring visits can also be purchased separately. These fees should be paid in advance by your appointed archaeological/historic environment organization /contractor (who should include them in their tender quote) or by the applicant/agent using their online payment system. More details can be found here: <https://www.staffordshire.gov.uk/environment/Environment-and-countryside/HistoricEnvironment/Advice-and-guidance.aspx>

2. The condition of the retaining structure to Back Lane should be checked by a structural engineer and any necessary works carried out. Back Lane is a private/unadopted road. The developer will need to ensure that they have appropriate rights and permissions to use Back Lane.

3. 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.

4. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. Amendments were agreed with the agent in the course of the determination in accordance with the approach to decision making as advocated in the National Planning Policy Framework at paragraph 38.

X *B.J. Haywood*

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 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.staffs Moorlands.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.