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Application no: SMD/2024/0195

Determined on: 30th January 2025

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

APPROVAL OF RESERVED MATTERS

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:

100 Congleton Road, Biddulph, Staffordshire, ST8 6EG

Description of Development:

Erection of a two-storey dwelling

(Approval of Reserved Matters as laid out in condition 2 of the outline planning approval along side condition 5, in relation to application SMD/2022/0576)

In pursuance of their power under the above-mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development: Access, Appearance, Landscaping, Layout and Scale. .

1. The development hereby permitted and described above shall only be carried out in accordance with the following revised plans referenced and numbered:
2510 PL01F Revised Proposed Site Plan (received on the 29th July 2025)
2510 PL02 Revised Plans as Proposed (received on the 17th Feb 2025)

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

2. The development hereby permitted and described above shall only be carried out using external facing bricks, facing render, roof tiles, and hard surfacing materials, that are of a detail, colour, and texture, that have first been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory in accordance with Policy DC1 of the SMDC Local Plan.

3. All of the measures and actions detailed in the Charnia Ecology 'Landscape & Biodiversity Enhancement Plan' Rev July 2025, necessary to deliver and provide the landscaping scheme and biodiversity enhancement that is detailed and set out in the Plan, shall be carried out and implemented in full accordance with, and observation of, the pre construction, construction, and post construction phasing and timetabling set out in the 'monitoring and work programme' at section 10 of the Plan. All of the trees and shrubs planted in accordance with this landscaping scheme and biodiversity enhancement shall be properly maintained following planting, in accordance with the Plan. 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 biodiversity protection and replacement and in accordance with Policy NE1 and Policy NE2 of the SMDC Local Plan.

4. All of those trees shown and detailed to be retained and protected in the 'Tree Protection Plan' at Drawing 2 and the 'Tree Schedule' at Appendix 1 of the 'Godwins Arboricultural Impact Assessment' (AIA.13871.02 25th August 2025), shall be retained and protected throughout the life of the development. Prior to the commencement of development, (including any demolition, site clearance, site stripping or site establishment) temporary tree protection fencing 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', 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. The development shall only be carried out in accordance with, and full observation of, the 'Tree Protection Plan' and the 'Arboricultural Method Statement' that are set out in the Arboricultural Impact Assessment (AIA.13871.02 25th August 2025).

Reason:- In the interests of protecting veteran trees, woodland and hedgerow in line with Policy NE1 and Policy NE2 of the SMDC Local Plan.

5. 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:- In the interests of protecting veteran trees, woodland and hedgerow in line with Policy NE1 and Policy NE2 of the SMDC Local Plan.

6. The development hereby approved shall not be brought into use until the access to the site has been altered in accordance with the approved drawing 2510 PL01F and the following have been provided at the access with the highway:

- a water interceptor at the access (rear of the footway) that drains to an onsite soakaway; and,
- a visibility splay of 2.4mx 35m to the north-east.

The water interceptor and the required visibility splay shall be retained and maintained throughout the life of the development, with the visibility splay kept free from the obstruction of any structure or shrub that exceeds the height of 900mm above the adjacent carriageway level.

Reason:- In the interest of highway safety in accordance with Policy T1 of the SMDC Local Plan and the terms of the NPPF

7. 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 material for a minimum distance of 5m back from the site boundary; and, the parking and turning areas for both the approved and host dwellings have been provided in accordance with the approved drawing 2510 PL01F and they shall thereafter be maintained. The provision of all hardsurfaces shall be made only in accordance with an approval made under the terms of the 'materials condition' at condition 2 of this consent. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:- In the interest of highway safety in accordance with Policy T1 of the Staffs Moorlands Local Plan and the terms of the NPPF.

8. 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 development as specified in Part 1 Class(es) A, AA, B, C, D, E, F, G and H and/or Part 2 Class(es) A, B and C, other than those expressly authorised by this permission, 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 ensure that adequate private open space is retained within the curtilage of the building.

Informative

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. As advocated within the National Planning Policy Framework at paragraph 38 negotiation with the applicant and agent allowed certain amendments to the details and plans as submitted to be made prior to the determination.

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.
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.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.
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.