

PO Pox 1091
54 St Edward Street
Leek
Staffordshire
ST13 5DJ

Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

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Application no: SMD/2014/0511

Determined on: 03/11/2014

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2010**

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 Adj High Gables Lid Lane Cheadle Staffordshire ST10 1QA

Description of Development:

Approval of Reserved Matters; Erection of Two Dwellings (Outline)

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.This notice constitutes an approval of matters reserved under Condition number 2 of Planning Permission approval reference 11/00587/OUT and does not by itself constitute a planning permission.

Reason:-

The application relates to matters reserved by planning permission reference 11/00587/OUT.

2.This permission shall be exercised in conjunction with outline consent reference 11/00587/OUT and does not relieve the applicant of the requirement to comply with any of the conditions imposed on that consent.

Reason:-

To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended).

3.The development hereby approved shall be carried out in accordance with the following submitted plans:

2011-1775-02;
2011-1775-03;

2011-1775-04 Rev A;
2011-1775-05

Reason:-

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

4.The development hereby permitted shall not be commenced until samples and details of the types and colours of all roof tiles, facing materials and hard surfaces (including driveways and patio areas) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:-

To ensure that the external appearance of the development is satisfactory.

5.The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:-

In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

6.The development hereby permitted shall not be commenced until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of any of the buildings on the site.

Reason:-

To provide adequate privacy and an acceptable external appearance.

7.The development hereby permitted shall not be brought into use until the accesses to the plots within the limits of the public highway have been completed.

Reason:-

In the interests of highway safety.

8.The development hereby permitted shall not be brought into use until the access and parking areas have been provided in accordance with the approved plans.

Reason:-

In the interests of highway safety.

9.The development hereby permitted shall not be brought into use until the visibility splays of 2.4m x 43m at each access have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:-

In the interests of highway safety.

10.The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the carriageway edge.

Reason:-

In the interests of highway safety.

11.The development hereby permitted shall not be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority;

- 2m footway on the frontage of the site

The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

Reason:-

To improve pedestrian facilities

12.The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then 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 reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

13.The landscaping/planting proposals as shown on above approved drawing reference 2011-1775-04 Rev A and further identified within the submitted 'Landscape Proposals' shall be carried out prior to first occupation of the dwellings hereby approved.

Reason:-

In the interests of visual amenity.

Informatives

1.The application has been assessed against adopted Development Plan policies and any other material considerations. As the application is acceptable there was no need for any negotiations as advocated within the National Planning Policy Framework paragraphs 186-187.

2.The conditions requiring access crossings and footway shall require a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Information Pack and an application form for the Major Works Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit,

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (or email to nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

3. The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include; mine entries (shafts and edits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

4. The Coal Authority recommend that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval. Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk

5. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and edits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

6. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 01623 646 333. Further information is available on The Coal Authority website www.coal.decc.gov.uk

Signed 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 the Councils Building Control Section.
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. **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. 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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. 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.