STAFFORDSHIRE
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DISTRICT COUNCIL
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Chief Executive

Mr Jim Malkin
JMI Planning
62 Carter Street
Uttoxeter
ST14 8EU

Mr Ingestre
c/o Agent

Application no: SMD/2017/0660

Determined on: 15.11.2019

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

GRANT OF OUTLINE PLANNING PERMISSION

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 Cecilly Mill Oakamoor Road Cheadle Staffordshire ST10 4QT

Description of Development:
Outline permission with some matters reserved (except access) for residential development of up to 121 dwellings

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters.
Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and thereafter the development shall only be carried out in accordance with the details as approved.
Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced and thereafter the development shall only be carried out in accordance with the details as approved.

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Articles 4 and 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

4. The development hereby approved shall be carried out in accordance with the following approved drawings and documents (Location Plan) and shall be in general accordance with the indicative site plan

Reason: For the avoidance of doubt.

5. The reserved matters application(s) shall be based on the Nationally Described Space Standards
Reason: - To ensure dwellings of adequate size in line with national policy

6. The mix of units at reserved matters shall reflect the Council's Strategic Housing Market Assessment
Reason: - To ensure an appropriate mix of units

7. No development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
II. the arrangements for prior notification to the occupiers of potentially affected properties;
III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
IV. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
V. a scheme for recycling/disposal of waste resulting from the construction works;
VI. the parking of vehicles of site operatives and visitors;
VII. the loading and unloading of plant and materials;
VIII. the storage of plant and materials used in constructing the development;
IX. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
X. details of measures to protect the public footpaths and amenity of users of the pubic footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to any deviation from it.
Reason: To protect the amenities of the area.

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8. The development hereby permitted, shall not take place until a further intrusive site investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. The investigation and risk assessment shall be undertaken by competent persons and accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The assessment should include;

(i) A survey of the extent, scale and nature of any contamination;

(ii) An assessment of the potential risks to:

- Human health
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
- Adjoining land;
- Ground and surface waters;
- Ecological systems; and,
- Archaeological sites and ancient monuments.

(iii) An appraisal of remedial options, and proposal of the preferred option(s).

A written report of the findings shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development.

9. No development hereby permitted, except for works of site clearance and demolition (not to include break up or removal of hardstanding or other excavation) shall take place until a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken has been submitted and approved, in writing, by the Local Planning Authority. The remediation strategy shall be produced by competent persons and should include:

(i) A summary of the results of the site investigation and the detailed risk assessment and options appraisal referred to in condition (8).

(ii) A remediation strategy giving full details of all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

(iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation scheme shall be fully implemented as approved and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

10 No occupation shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also

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include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved for each phase.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (8), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (9), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

12. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.
Reason (common to 8-12):- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

13. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.
Reason: To protect the amenities of the area.

14. The development hereby permitted shall not be occupied until such time as a scheme of Sustainable Drainage has been submitted to, and approved in writing by, the local planning authority.
 Limiting the surface water run-off generated by the entire site to the Cecilly Brook to 22l/s so that it will not increase the risk of flooding off-site.
 Provision of an appropriate calculated volume of attenuation flood storage on the site to a 100year + 40% standard. The current volumes may need to be revised upward if high water levels in the Cecilly Brook are taken into account.
 Confirm which responsible body will maintain the surface water system over the lifetime of the development according to an acceptable maintenance schedule and that is achievable.
 Ensure existing sewers through the site are diverted in agreement with Severn Trent.
 Confirm what water treatment measures will be incorporated into the system.

The scheme shall be fully implemented and subsequently maintained, in accordance with the

timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

15. Prior to commencement of development a Site Waste management plan shall be submitted to and agreed in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved Plan.
Reason: To comply with the requirements of the Waste Local Plan

16. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. 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

17 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Cecilly Mill, Oakamoor Rood, Cheadle v1.1 dated 29th January 2018 and the following mitigation measures
detailed within the FRA:

1. Finished floor levels of dwellings located within the Southern Section of the site as identified on figure 10 are set no lower than 156.47 m above Ordnance Datum (AOD).
2. Finished floor levels of dwellings located within the Northern Section of the site as identified on figure 10 are set no lower than 156.95 m above Ordnance Datum (AOD).
3. There shall be no dwellings or structures located within 8m from the top of bank of the Cecilly Brook.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by
the local planning authority.
Reason To reduce the risk of flooding to the proposed development and future occupants.

18 No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
- layout and disposition of roads and buildings;
- Provision of parking, turning and servicing within the site curtilage;
- Means of surface water drainage;
- Surfacing materials;
- pedestrian routes and facilities to and through the site;

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development.
Reason: In the interests of highway safety.

19 The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site access to footway with full height kerb, which shall include

the access crossing between the site and carriageway edge made redundant as a consequence of the development has been first submitted to and approved in writing by the local planning authority. The existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height kerb in accordance with the approved plans.
Reason: In the interests of highway safety.

20. The development hereby permitted shall not be brought into use until the accesses to the site have been completed.
Reason: In the interests of highway safety.

21 No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
i) a site compound with associated temporary buildings:
ii) the parking of vehicles of site operatives and visitors;
iii) loading and unloading of plant and materials;
iv) storage of plant and materials used in constructing the development;
v) wheel wash facilities.
vi) Road sweeper
Reason: In the interests of highway safety.

22 No mud, debris, dust or any deleterious material shall be deposited on the highway. Any mud, debris, dust or deleterious materials that is deposited shall be immediately removed.
Reason: In the interests of highway safety.

23 The development hereby permitted shall not be brought into use until the visibility splays shown on plan ref. SCP/17320/F01 have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
REASON: (common to 18- 23) To comply with NPPF Paragraph 108 (2018); to comply with SMDC Core Strategy Policy DC1, T1 and T2; in the interests of highway safety. To comply with NPPF para 102 (2018); to promote and encourage alternative means of transport. To ensure the development can be constructed without undue inconvenience to road users and residents; in the interests of highway safety
Reason: In the interests of highway safety.

24. The reserved matters shall make provision for a pedestrian access from the site to Churchill Road recreation Ground.
Reason: To provide access to open space

25. The reserved matters shall make provision for a 8m buffer zone, free from development, to either side of the Cecilly Brook. The reserved matters shall include details of the boundary treatment, landscaping and future management of the buffer zone. The buffer zone shall thereafter be provided and maintained in perpetuity in accordance with the approved details.
Reason : In the interests of ecology.

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Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

2. The road layout submitted at reserved matters should be designed to avoid rat-runs, parking should be designated for each dwelling rather than shared and an additional access should be created to the Churchill Road Recreation Ground.

3. The applicant is advised that this decision should be read in conjunction with the Section 106 agreement dated 11th November 2019.

X

Signed by: JaneC

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 the Councils Building Control Section at buildingcontrol@staffsmoorlands.gov.uk

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.

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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.