STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING • EXCELLENCE

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

Mr O'Hanlon
1 Centurion Court
Wilencote
Tamworth
B77 5PN

Application no: SMD/2019/0723

Determined on: 14/08/2020

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:
Land at Cecilly Mill Oakamoor Road Cheadle Staffordshire ST10 4QT

Description of Development:
Approval of reserved matters relating to SMD/2017/0660

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.

1. Development shall be carried out in complete accordance with the following approved drawings and documents (unless otherwise amended by other conditions on this decision notice):

   - 8957-L-08Q - Brook Enhancement Proposals
   - 18155-106R - Sections Through Brook and Ecological Zone
   - 18155 – 202G - Drainage Layout Sheet 1
   - 18155 – 203G - Drainage Layout Sheet 2
   - CHE-FL-01C - Fencing Layout
   - 19116-3000L – Site Layout
   - CHE-MP-01E – Materials Plan
   - GL1260 01C – Landscape Proposals Sheet 1
   - GL1260 02C – Landscape Proposals Sheet 2
   - ORC-COM-01B – Compound Layout
   - 8957-L-03 B – On Plot Planting 1 of 5
   - 19116-SE-01 Street Scene 1
   - 19116-SE-02 Street Scene 2

- A/876/00/AT/01 Rev A Baker Plans
- A/876/00CB/02 Rev A Baker Elevations
- A/876/00CB/R1/01 – Double Garage
- A/876/00CB/R2/01- Double Garage
- A/1057/00/CB/02 Rev A– Fletcher Elevations
- A/1057/00/AT/01 Rev A – Fletcher Plans
- CHE-LOC-01 – Location Plan
- A/1288/00/CB/02 Rev D -Milner Elevations
- A/1288/00/AT/01 Rev D – Milner Plans
- A/769/00/CB/02 Rev D – Potter Elevations
- A/769/00/AT/01 Rev D – Potter Plans
- A/954/00/CB/02 Rev D – Quilter elevations
- A/954/00/AT/01 Rev D - Quilter Plans
- A/1214/00/CB/02 Rev F _ Scrivener Elevations
- A/1214/00/AT/01 Rev F – Scrivener Plans
- A/218/00/CB/R1/01 – Garage
- A/218/00/CB/R2/01– Garage
- A/218/00/CB/R2/01 – Garage
- SO19 - PLAN – 01 – Apartment Plans
- SO19 - ELEV – 01 – Apartment Elevations
- A/1356/00/CR/02 Rev E – Bowyer Elevations (render)
- A/1057/00/CR/02 Rev A – The Fletcher (Render)
- A/1288/00/CR/02 Rev D - Millner (Render)
- A/921/00/CR/02 Rev E Thespian (Render)
- A/921/00/CB/02 Rev E Thespian Elevations
- A/921/00/AT/01 Rev E – Thespian Plans
- A/1026TI/00/CB/02 Rev A Tilman Elevations
- A/1026TI/00/CB/01 Rev A Tilman Plans
- A/921TU/00/CB/02 Rev G Turner Elevations
- A/921TU/00/CB/01 Rev G Turner Plans
- Site Waste Management Plan
- Arboricultural Assessment - September 2019
- Technical Note – Biodiversity Impact Assessment
- ECOLOGICAL APPRAISAL - November 2019
- LANDSCAPE SPECIFICATION & MANAGEMENT PLAN - October 2019
- Analysis of housing mix
- Appendix C: Arboricultural Method Assessment (AMS) - September 2019

Reason: For the avoidance of doubt

2. 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 at any of the semi-detached and terraced units hereby permitted unless a further

planning permission has first been granted on application to the Local Panning Authority.

Reason: To ensure retention of an adequate area of private amenity space

3. The kitchen window(s) in the south side elevation of the flats hereby permitted 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 privacy of neighbouring occupiers.

4. Bat and other ecological enhancement measures as recommended in the ecological appraisal under section 4.7 of the LSMP dated October 2019 by FPRC shall be undertaken prior to the first occupation of the property on which they are to be provided, (or prior to the first occupation of the development, in the case of features which are to be located outside domestic curtilages).

   Reason: In the interests of biodiversity

5. Bird mitigation measures to protect nesting birds during construction and the provision of bird boxes as recommended in the ecological appraisal under section 4.9 of the LSMP dated October 2019 by FPRC shall be undertaken prior to the first occupation of the property on which they are to be provided, (or prior to the first occupation of the development, in the case of features which are to be located outside domestic curtilages).

6. An Ecological Clerk of Works to support the delivery of the CEMP during construction shall be provided and their contact details shall be provided to the Local Planning Authority on commencement of development.

   Reason: In the interests of biodiversity

7. The first action on commencement of development, prior to any further action (including any further site clearance, site stripping or site establishment) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees and hedges to be retained, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and this 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 (LPA). 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 LPA.

Reason: To protect existing mature trees on site.

8.
a) Before the end of the first available dormant season (November to February inclusive) following completion of the relevant area or phase of the development hereby approved the planting scheme shown on Golby & Luck Landscape Architects "Soft Landscape Proposals" Drgs Nos. GL1260.01.B and GL1260.02.B shall be fully implemented. All trees, shrubs and grass planted or laid in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting, and 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.
b) Prior to the first occupation of the development, water vole mitigation and enhancement shall be provided as outlined under section 4.6 of the ecological appraisal and in the supporting enhancement plan, drawing no.8957-L-08 H
c) The landscaping and habitat enhancement and creation measures set out on FPCR "Brook Enhancement Proposals" Drg. No. 8957-L-08/Q shall be fully implemented within 12 months of the completion of all clearance, drainage, ground modelling and watercourse profiling work within the Cecilly Brook corridor. All plants, landscaping, retained and created habitats and seeded areas shall be properly maintained in accordance with the FPCR "Landscape Specification and Management Plan Revision D", and all other habitat establishment and on-going maintenance measures and provisions set out in that Landscape Specification and Management Plan shall be implemented in full accordance with the methods, timescales and frequencies detailed therein.

Reason: In the interests of biodiversity and visual amenity

9. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Review by JBA, ref. 2020s0431, dated 23 June 2020, and the following mitigation measure detailed within this statement:
- There will be no net loss of floodplain capacity as a result of the ground re-profiling (Section 2)

This mitigation measure 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

10. This development shall be carried out in accordance with the approved Water Framework Directive Screening Assessment, Rev C02, dated 24 June 2020 and the following mitigation measure detailed within the report:

a. Existing concrete walls are reduced to at least 100mm below channel bed level

This mitigation measure 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 enhance and conserve the environment in line with NPPF paragraph 170 and 175.

11. Prior to first occupation of any permitted new dwelling the parking area and turning area for that dwelling shall be provided and surfaced in a bound and porous material which shall thereafter be retained for the life of the development for their designated purposes.

12. Any driveway or access which falls towards the highway shall be fitted with a surface water drainage interceptor, connected to a surface water outfall, across the access immediately to the rear of the highway boundary unless otherwise agreed in writing by the Local Planning Authority.

13. The development hereby permitted shall not be brought into use until details of the reinstatement of those parts of the existing site accesses with full height kerb, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority. That part of 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.

14. Prior to any work taking place above damp proof course level drawings showing appropriate forward visibility across all bends and changes in direction on the road layout shall be submitted to and agreed in writing by the Local Planning Authority. The approved visibility splays shall be provided prior to the first occupation of the development and thereafter maintained.

REASONS 14 – 17 : To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1, T1; in the interests of highway safety

15. Prior to the commencement of development, with the exception of site remediation works, engineering drawings showing details of all retaining walls and on-plot engineering shall be submitted to and approved in writing by the Local Planning Authority. No retaining structure on the boundary between two dwellings comprised within the submitted details shall exceed 1.5m. Development shall take place in complete accordance with the approved details.

Reason:- To protect visual amenity

16. Prior to the first occupation of the development hereby permitted a scheme of habitat enhancement of the Cecily Brook Local Nature Reserve (LNR) shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall show how the 1.56 units can be delivered on the LNR, with a calculation of the current baseline position and the biodiversity gain following the enhancements. The scheme shall also include detailed specifications of the works, a timetable of implementation and as well as provision for aftercare and monitoring over a period of 5 years following completion of the works. The approved scheme shall be carried out in accordance with the approved timetable and shall thereafter be maintained and monitored in accordance with the agreed programme of aftercare.

    Reason: To ensure net biodiversity gain.

17. This notice of approval of reserved matters shall only relate to outline planning permission SMD/2017/0660 or as modified by any subsequent s73 application.

    Reason: For the avoidance of doubt and in the interest of proper planning.

X

Signed by: Jane Colley

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 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.

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.