

Our Ref: MB/3401/2021-7-16

16<sup>th</sup> July 2021

Staffordshire Moorlands District Council  
Planning Department

Planning & Design Practice Ltd  
Second Floor, Suite 3  
Woburn House  
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Derby  
DE1 1UL

Dear Sir/ Madam,

**RE: Application for Discharge of Condition 3,4,and 6 of application ref. SMD/2019/0187 at Hayes Gate Farm, Star Bank, Oakamoor, ST10 3BN**

**For application DET/2018/0002 allowed at appeal ref APP/B3438/W/18/3202031 and subject to subsequent S73 approved application SMD/2019/0187.**

Please find enclosed application documents in relation to a request to vary the approved conditions on the planning consent referenced above to provide amended plans.

It is my understanding that the conditions which require discharge are those listed on application ref.SMD/2019/0187 rather than the original application DET/2018/0002 (allowed at appeal ref.APP/B3438/W/18/3202031). This application has been prepared on this understanding. However, we will be guided by the LPA if this is considered the incorrect approach.

This application seeks to discharge conditions 3, 4, 5 and 6 of application ref. SMD/2019/0187. The design of the proposed landscaping measures as well as consideration of the requirements of the relevant conditions has been informed by discussions with Peak Environmental, the Applicants and builders.

### **Condition 3**

Condition 3 states;

*"The development hereby permitted shall not be occupied until details of all walls, fences and other means of enclosure as well as any hard landscaping have first been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the building on the site."*

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This application is accompanied by a landscaping plan which provides details of all walls, fences and other means of enclosure as well as the hard landscaping for the proposed development. The drawing reference is 3401 - 310 Rev B - Discharge of Conditions 3-4-5. The proposed hard surfacing will be grey stone slabs. Hardsurfacing is necessary to 'seal' any ground contaminants that may be present. Visually, the external appearance of the landscaping will be of 600x600mm grey slabs for the entirety of the curtilage of the dwelling. With the exception of the parking area to the east of the property which will be gravel over a ground protective grid.

The proposed boundary treatments are a 1.5m high post and wire fencing.

#### **Condition 4**

Condition 4 states;

*"Prior to first occupation of the development, landscaping and planting details shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be fully implemented before the end of the first available dormant season (November to February inclusive) following first occupation of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. 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"*

Please see drawing reference is 3401 - 310 Rev B - Discharge of Conditions 3-4-5

#### **Condition 6**

Condition 6 states;

*"Prior to bringing the development into first use, all soils that are intended to be used for the proposed garden/ soft landscaping areas shall be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writing by the Local Planning Authority and shall include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed.*

*The results of the soil tests shall be submitted to and approved in writing by the Local Planning Authority. If soil results indicate that potential risks exist, development shall not continue until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, submitted to and approved in writing by the Local Planning Authority."*

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The proposed landscaping scheme does not use any imported soils or turf and therefore this condition is redundant.

We trust that you will find this detail acceptable. If, however, you have any questions regarding this application, please do not hesitate to contact me on 01332 347371 or [michael.bamford@planningdesign.co.uk](mailto:michael.bamford@planningdesign.co.uk)

Yours sincerely,

**Michael Bamford** BA(Hons) MPlan MRTPI  
Director

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