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Your Ref: SMD/2014/0750



13 August 2021

Mrs Jane Curley
Senior Planning Officer (Majors & Commercial)
Staffordshire Moorlands District Council
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Stockwell Street
Leek
ST13 6HQ

Dear Jane

**PROPOSED MIXED-USE DEVELOPMENT ON LAND OFF SUNNYHILLS ROAD, CORNHILL, LEEK:
SECTION 73 MINOR MATERIAL AMENDMENT APPLICATION & RESERVED MATTERS
APPLICATION**

On behalf of our client, the Casey Group Limited ('the Applicant'), please find enclosed the following two applications, relating to the Cornhill Regeneration Project in Leek:

- An application under section 73 of the Town and Country Planning Act 1990 to delete and vary four conditions that are attached to the outline planning permission for the Cornhill Regeneration Project (ref. SMD/2014/0750); and
- A reserved matters application submitted pursuant to outline permission ref. SMD/2014/0750 (as proposed to be amended by the above section 73 application), which seeks detailed approval for all parts of the Cornhill Regeneration Project, except for the employment zone in the northern part of the site which is already the subject of a reserved matters approval (ref. SMD/2019/0502).

Background

The Cornhill Regeneration Project involves the redevelopment of the former concrete batching plant on land off Sunnyhills Road in Leek for up to 175 residential units, employment and tourism uses.

On 17th August 2015, outline planning permission (ref. SMD/2014/0750), reserving all matters for future approval except for access, was granted for the development. The approved description was as follows:

'Demolition of former industrial buildings and redevelopment of site comprising: residential (Use Class C3 up to 175 dwellings) with associated open space, play areas and cycle links; live/work units 2,000m², employment (Use Class B1c and B2 up to 1,847m² gross including mezzanine); tourism and leisure uses including a marina / basin and associated boating facilities (up to 20 berths), railway station with

associated heritage/railway activities building including tourist/local needs retail unit (Use Class D2/A1 up to 394m² gross); public house / restaurant (Use Class A3 / A4 up to 340m²) and associated car parking and servicing; reserve land for future highway including associated landscaping.'

It is necessary to submit the section 73 application for two reasons. Firstly, there is a requirement to delete the two planning conditions that are attached to the outline planning permission which are linked to the obligation placed on the developer to construct a marina basin and connect it to the Caldon Canal. This is on the basis that it is not feasible or viable for the Casey Group to commit to fulfilling this obligation. An application to vary the Section 106 Agreement attached to the outline consent to remove this obligation is currently pending determination (ref. SMD/2020/0552) and the Casey Group intends to submit an updated financial viability appraisal and proposed variation shortly. Secondly, a series of minor amendments need to be made to the access arrangements that were approved as part of the outline planning permission to take account of design development, whilst also providing for more flexibility in the delivery of the scheme.

The reserved matters application is being submitted to ensure compliance with condition no. 2 of the outline consent, which states that the last application for reserved matters approval shall be made to the Local Planning Authority no later than the expiration of 6 years from the date of the outline permission (i.e. before 17th August 2021). Securing reserved matters consent would represent an important next step towards the delivery of this important regeneration scheme for Leek which, on completion, would enable a number of key economic, social and environmental benefits to be realised. Further details are provided within the Supporting Planning Statement.

Although the Casey Group is not able to commit to the delivery of the marina basin, the reserved matters application seeks detailed approval for this facility and delineates an area of land within the site to be reserved for its future delivery or, if not implemented within an agreed period of time, an area of public open space. It is understood the Council is seeking to access Government funding in order to deliver the marina basin as part of a wider package of potential projects in Staffordshire Moorlands.

Approach to the Applications

The reserved matters application is being submitted pursuant to outline permission ref. SMD/2014/0750 as proposed to be amended by the section 73 application (i.e. as opposed to being submitted pursuant to the outline permission consent in its current, approved form). That is to say that the detailed design proposals which form the basis of the reserved matters application take account of the changes to the access arrangements and other minor amendments that are being proposed as part of the section 73 application. It is therefore acknowledged that the section 73 application would need to be approved, and a fresh outline planning permission granted, before the reserved matters application could be permitted. This planning strategy has been discussed and agreed with the Local Planning Authority as part of the pre-application discussions which have taken place.

Section 73 Application

The section 73 application comprises the following documents:

- Completed application forms;

- Supporting Planning Statement prepared by Avison Young (covering both the section 73 and the reserved matters application); and
- Transport Statement, including the revised access drawing (ref. 3454-F01) prepared by Eddisons.

Payment of the requisite application fee (£234) is being made directly to the Council by the Applicant.

Reserved Matters Submission

The reserved matters application seeks permission for the following development:

'Reserved matters application for approval of appearance, landscaping, layout, and scale to provide: 158 residential dwellings (Class C3) providing a mix of two, three and four bedroom houses, and two bedroom apartments; 6 x live / work units (Sui Generis); 1 x public house / restaurant / café (Sui Generis / Class E(b)); a marina / basin and associated boating facilities with 13 berths; associated works including internal road network, associated highway works, drainage infrastructure, landscaping, open space, play area, pedestrian, and cyclist links; land reserved for future railway station with associated heritage / railway activities building/s and car parking; and land reserved for future link road including associated landscaping. The application is submitted pursuant to outline planning permission SMD/2014/0750.'

As agreed with Officers during the pre-application discussions that have taken place, the reserved matters submission comprises the following documents:

- Completed application forms;
- Application drawings (including red-edged site location plan) prepared by MPSL;
- Landscaping Strategy prepared by Urban Green;
- Design Verification Statement prepared by MPSL;
- Supporting Planning Statement prepared by Avison Young (covering both the section 73 and the reserved matters application);
- Arboricultural Impact Assessment prepared by Urban Green; and
- Transport Statement prepared by Eddisons.

Again, payment of the requisite application fee (£41,255) is being made directly to the Council by the Applicant.

I look forward to receiving your confirmation that both applications have been received and validated, however if you have any queries or require any further information in the meantime, please do not hesitate to contact me.



Yours sincerely

A handwritten signature in blue ink, appearing to read 'P Grant'.

Philip Grant

Associate Director

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For and on behalf of Avison Young (UK) Limited