

Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

Your Ref SMD/2021/0536

Our Ref CRTR-PLAN-2021-33679

Wednesday 8 September 2021

Dear Ms Curley

Proposal: Reserved matters application for approval of appearance, landscaping, layout, and scale to provide: 157 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.

Location: Land at Sunnyhills Road & Barnfield Road, Leek

Waterway: Leek Branch (Caldon Canal)

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is the following advice:

We note that this application for approval of reserved matters is accompanied by a separate application to vary planning conditions under S73 of the Town and Country Planning Act 1990 (proposed to be approved ahead of determination of this application). The two applications have been submitted together to seek to address the Applicant's concerns over the viability of the marina element of the approved scheme and to find a way to facilitate the implementation of the approved development without inclusion of the marina element, and to facilitate some changes to highways access arrangements.

We refer you to our comments submitted on the accompanying S73 application (your ref: SMD/2021/0537) which set out why we consider that application to be flawed in its approach and how we consider this could be remedied. We do not necessarily consider that those comments adversely affect this current application for approval of reserved matters, which is stated on the application form to relate to the extant outline consent SMD/2014/0750, although it seems likely that the intention is, in fact, for it to stand as an application for approval of reserved matters relating to the fresh outline consent that would be created should the S73 application be granted.

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

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This reserved matters application provides details of the proposed site layout, and shows how the marina element could be incorporated within the development. It does not provide comprehensive information relating to the detailed design for the marina, including the location and layout of moorings, access, materials and buildings for all ancillary features as may be proposed, nor does it provide any structural review or construction methodology demonstrating the feasibility and method of constructing the link from the proposed marina via the aqueduct to the Caldon Canal. However, whilst provision, and approval, of these details would be necessary before the marina was constructed, they are already required to be submitted under Conditions 10 and 19 of the existing outline planning permission granted under reference SMD/2014/0750 and thus do not need to accompany this reserved matters application.

The Trust has no objection to the granting of this application, although we must advise that the connection of the marina to the existing Caldon Canal will require separate consent from the Canal & River Trust as owner and operator of the canal. All marina proposals seeking consent to connect to the Trust's canals must enter and successfully complete the Trust's own new marina application process. Whilst an application was submitted to the Trust for the marina element proposed through the outline planning permission, this application was removed from our application process in December 2020 due to lack of progress and therefore no consent to connect to the canal has been given. Any proposal to connect a marina in this location to the canal would need to enter our application process afresh and at the current time, no assumptions should be made as to the prospects of obtaining Trust consent at some as yet undetermined point in the future.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

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<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

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