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Markden Homes
C/o Agent

Application no: NMA/2023/0012

Determined on: 15/06/2023

Town and Country Planning Act 1990 (as amended)

NON MATERIAL AMENDMENT FOR DEVELOPMENT

Location of Development:

Land Off Tenford Lane Tenford Lane Tean Staffordshire

Description of Proposal:

Non material amendment relating to Condition 17 of SMD/2016/0811

In pursuance of its powers under the above Act, the Council hereby **Approves** the proposed non material amendment for the above development in accordance with the application valid by the Local Planning Authority on 12/05/2023.

Condition 17 of outline planning permission SMD/2016/0811 is now amended to the following:

Details to be submitted prior to the commencement of works shall include a 'Landscape and Habitat Enhancement & Management Plan' prepared in accordance with Ecological Appraisal, including long term design objectives, management responsibilities, maintenance schedules over a 20 year period for the application site as shown on Location Plan drawing ref. (ref 00438_AL(0)04 A), which shall be approved in writing by the Local Planning Authority. The Plan shall include design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) within site.

The following surveys shall be provided:-

- *Badger survey;*
- *Reptile survey;*
- *Survey of ponds within 500m of the development suitable to support populations of great crested newts (a full survey for great crested newt will be required if ponds are suitable);*

- *Detailed bat surveys shall be carried out prior to the removal of any trees identified as having high–medium potential for bats through previous bat surveys. Surveys should be carried out according to the Bat Conservation Trust Survey Guidelines 2nd Edition. Bat Conservation Trust;*
- *Full Details of how water courses located on the site will be protected from possible pollution and contamination during the construction and completed phases of the development;*

The following details shall be provided:-

- *The extent and type of new planting (planting to be of native species wherever appropriate);*
- *Any new habitat created on site;*
- *Provision of 10 nesting sites for swifts, bats and other birds of Conservation Concern (as defined by the Royal Society for the Protection of Birds), such as house sparrow within the detailed design of buildings;*
- *Treatment of site boundaries and / or buffers around water bodies;*
- *Trees and shrubs planted within developed landscaped areas should be of native species of a similar composition to species identified within species rich hedgerows and the adjacent woodland; and,*
- *A Timetable for the implementation of the plan.*

The approved management plan shall be implemented in accordance with the approved details.

The applicant is advised that this Decision Notice should be read in conjunction with the Decision Notice approving planning application SMD/2016/0811 and that any other conditions attached to that permission still apply.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework (February 2019). 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.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 96A of the Town and Country Planning Act 1990.
2. The application is approved 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.
3. This application is approved and may be subject to conditions from the original decision notice. 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. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** 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. Any other conditions on this approval 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. Domestic sprinklers
Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building.
The chance of an accidental discharge is 16,000,000:1
If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)
6. Working smoke alarms correctly positioned in your home can save your life.

The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month.

Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.