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Laver Leisure (Oakamoor) Limited
C/o Agent

Application no: SMD/2022/0014

Determined on: 28th November 2023

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015
(as Amended)**

FULL PERMISSION FOR DEVELOPMENT

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:

Moneystone Quarry Cheadle Road Oakamoor Staffordshire ST10 2DZ

Description of Development:

Proposed construction of a revised surface water outfall associated with Moneystone Park leisure development and engineering operations to infill the existing outfall structure.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans

Location Plan	1733 OF 002 Rev 5
Existing Outfall Area Plan	1733-OF-008 Rev 2
Proposed Outfall Masterplan	1733-OF-009 Rev 7
Proposed Outfall Plan	1733-OF-010 Rev 16

- Outfall Area GA Section AA (Ref: 1733-OF-225 Rev 11).
- Outfall Area GA Section BB (Ref: 1733-OF-226 Rev 11).
- Outfall Area GA Section CC (Ref: 1733-OF-227 Rev 11).
- Landscape GA Outfall Area Plan (Ref: 1088.4-PLA-00-XX-DR-L-0007 Rev P03).
- Outfall Area Landscape Sections (Ref: 1088.4-PLA-00-XX-DR-L-0009 Rev P03).

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

Natural England/Protection of the SSSI

3. Notwithstanding the submitted documents/information no development including site stripping or clearance shall commence until an Outfall Method Statement / Construction Environmental Management Plan (the 'Plan') has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail how damage to the SSSI will be avoided, including but not limited to, consideration of the following:

- a) No run-off into the SSSI during construction from the access road or the landscaping land, both of which are adjacent to and in hydrological continuity with the SSSI.
- b) Safeguards must be in place to prevent run-off including fines, fuel and chemicals in surface water and groundwater during construction across the wider site from entering the SSSI. This is paramount given the identification of a significant role for sinkhole recharge and implied rapid flow through the underlying groundwater.
- c) It shall be clear that when considering any work in the SSSI, engagement with Natural England is key and required.
- d) Stockpiled materials must only be stored in such a way as to prevent material and contaminated run-off entering the SSSI.
- e) Works shall be carried out in dry conditions and therefore the prevailing weather conditions must be considered when deciding when to carry out work. Working in dry conditions will limit the risk of overtopping/or runoff entering the SSSI.

Development shall proceed strictly in accordance with the approved Plan

Reason:- To protect the Whiston Eaves SSSI during construction

4. No development including site stripping or clearance shall commence until such time that a Monitoring Scheme (with implementation timetable) to cover the construction and operational stage of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and operated strictly in accordance with the agreed Scheme. The Scheme shall include (but not limited to) the following considerations :-

- a) that flow monitoring apparatus is fit for purpose to accurately monitor the full range critical range of flows. This shall be completed prior to the development.

b)the water level at the overspill for 5 years from the operation of the development. This shall be completed post development. The agreed water level is 156 AOD.

c)Monitoring of water quality before and during construction to check that no fines, fuel or chemicals are entering the SSSI. See Annex A attached to the letter from Natural England dated 31st March 2023 for further information.

d)Monitoring of future stream flows and sediments for 5 years from the operation of the development.

e)Annual reporting of the data and necessary interpretation. The reports shall compare monitoring data against the results of predictive modelling carried out during the planning phase. Any discrepancies shall be clearly identified and explained, and actions proposed as necessary.

f)A mechanism for mitigation if monitoring reveals issues. This is required in case the monitored results start to significantly deviate from predictions, in which case Natural England would require mitigation.

Reason:- To safeguard the SSSI from harm, provide a quality control of the modelling that has been carried out to support the application and to address the remaining uncertainty in the modelling.

Biodiversity

5. No development shall commence until such time that a Biodiversity Net Gain metric (using Defra metric 4.0 or any subsequent successor document) together with measures to achieve a net gain and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved measures and timescale

Reason:- To secure a net gain in biodiversity

6. The development hereby permitted shall only be carried out in accordance with, and full observation of, the Mitigation measures set out in Chapter 9, Ecology, Table 9.4 of the Environmental Statement Addendum, Moneystone Quarry, Staffordshire dated December 2021

Reason:- In order to mitigate any potential impact upon protected habitats and species

Construction and Environmental Management Plan:

7. No development hereby permitted shall take place including site clearance and stripping until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- II. the arrangements for prior notification to the occupiers of potentially affected properties;
- III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- IV. a scheme to minimise dust emissions arising from construction activities on the site.
- V. a scheme for recycling/disposal of waste resulting from the construction works;
- VI. the loading and unloading of plant and materials;
- VII. the storage of plant and materials used in constructing the development;
- VIII. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment,
- IX. details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,

All works shall be carried out in accordance with the approved details.

Reason: To protect the amenities of the area, amenity of local residents and that of the surrounding area from noise disturbance.

Unexpected Contamination

8. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not continue further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not recommence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been submitted to and approved in writing by the local planning authority

Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Infilling and restoration of existing outfall and unauthorised channel

9.No development shall commence until a scheme of works (to include planting where required) for the infilling and/or removal and restoration of land containing the existing outfall and the adjacent spillway channel, both described and referenced at 8.2, Appendix 9, Hydrological assessment of the Environmental Statement Addendum including a timetable for implementation of such works, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed scheme and timescale

Reason:- To ensure the land is returned to its previous condition in the interests of the character and appearance of the area and the protection of the Whiston Eaves SSSI

Tree protection

10.No development including (including any site clearance, site stripping, site establishment, delivery of plant or materials, or formation/improvement of temporary/permanent access) shall take place until temporary tree protection barriers and advisory notices and temporary ground protection measures for the protection of the existing trees to be retained have been erected in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in the Urban Green arboricultural impact assessment report reference UG1329 dated 25/10/2021 submitted in support of the application hereby approved. These shall be retained in position for the duration of the period that development takes place. 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.

Reason:- In the interests of tree protection and the character and appearance of the area

11.No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development and there shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive)

Reason:- In the interests of tree protection, protected species and the character and appearance of the area

12. No development shall commence, including site clearance and stripping, until such time that details for the temporary spread and permanent removal of spoil arising from the excavation, with sections where requested, has been submitted to and approved in writing by the Local Planning Authority . No spoil shall be spread/deposited within existing woodland and scrub areas nor in such location or manner that it would encroach within the Root Protection

Areas of trees in these areas. The development shall be carried out strictly in accordance with the agreed details

Reason:- In the interests of tree protection and the character and appearance of the area

Long-term Maintenance of outfall

13. No development shall commence until details of the arrangements for the future maintenance and operation of the outfall hereby permitted have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The development shall be carried out and operated strictly in accordance with the agreed details for the lifetime of the development

Reason:- To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

Archaeology/Heritage

14. No development shall be commence, including site stripping and/or clearance until such time that an Archaeological Watching Brief, Walkover and Earthwork Survey specification has been submitted to and approved in writing by the Local Planning Authority. The specification shall define the area of archaeological interest to be subject to the investigation and provide details of the programme of archaeological works to be carried out within this area, including post-excavation reporting and appropriate publication and interpretation. The development shall thereafter be implemented in full in accordance with the approved details

Reason:- In the interests of protecting the historic environment

15. The development hereby permitted shall be constructed and in use prior to first occupation of any of the development approved under SMD/2019/0646

Reason:- To safeguard the SSSI from harm and ensure a stable water level in Quarry 3.

Informative

A sustainable development has been negotiated in line with the provisions of the National Planning Policy Framework

X *B.J. Haywood*

Signed by: Ben Haywood

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.
1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.
8. 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.
9. 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>
10. 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.
11. 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.
12. 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)
13. 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.