

FAO Ben Haywood
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire Moorlands
ST13 6HQ

By email only

Our Ref: SR/R9051

06 December 2023

Dear Ben,

LAND SOUTH EAST OF A521, A50 BLYTHE BRIDGE BYPASS, BLYTHE BRIDGE, STAFFORDSHIRE – RESIDENTIAL PHASE 1 (APPLICATION REF. SMD/2018/0790).

Following submission of the notice, dated 6 November 2023, an amended version of which was issued via email on 9 November 2023, we hereby write to confirm that, in accordance with the provisions set out in Article 29, Part 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, conditions 5, 11, 17, 23, 25, 26, 27, 31, 35, 36 and 37 on the decision notice for planning application ref. SMD/2018/0790 are now deemed discharged.

The notice submitted on 6 November 2023, and amended on 9 December 2023, advised that the relevant consultees should be provided with a further 14 days to submit comments in relation to conditions 5, 17, 23, 25, 26, 31, 35, 36 and 37, as well as conditions 11 and 27, which we had applied to formally discharge under application ref. DOC/2020/0049 and application ref. DOC/2020/0103, respectively; and that if the relevant consultees were to respond within 14 days of the notice confirming that they have no objections, or a response was not received from those consultees within the 14 day period, then the associated conditions would be considered to be deemed discharged.

As of the date of this letter, we are not aware of any further correspondence from the relevant consultees indicating that the latest submitted details in relation to conditions 5, 11, 17, 23, 25, 26, 27, 31, 35, 36 and 37 on the decision notice for planning application ref. SMD/2018/0790 are unacceptable, nor has a formal decision been issued by your Authority in respect of application ref. DOC/2020/0049 or application ref. DOC/2020/0103. Furthermore, we can also confirm that:

- At least 6 weeks have elapsed since the applications to discharge the conditions was received by your Authority;
- Conditions 5, 11, 17, 23, 25, 26, 27, 31, 35, 36 and 37 on SMD/2018/0790 are not covered by any of the exemptions listed in Schedule 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
- It has not been agreed with your Authority that the provisions of Section 74A of the Town and Country Planning Act 1990 (deemed discharge of planning conditions) shall not apply; and
- No appeal has been made under Section 78 of the Town and Country Planning Act 1990.



Accordingly, please accept this letter as confirmation that the your Authority's approval for the discharge of 5, 11, 17, 23, 25, 26, 27, 31, 35, 36 and 37 on the decision notice for planning application ref. SMD/2018/0790 is deemed to have been given from **21 November 2023**, which is 14 days after the day immediately following the day on which this deemed discharge notice was received by the Local Planning Authority. For the avoidance of doubt, 14 days have also passed following 9 November 2023, the date on which the original notice was amended.

Conditions 8, 12, 38 and 40 on SMD/2018/0790 cannot be deemed discharged on the basis that they relate to contaminated land and flood risk, respectively. Nevertheless, as set out in the notice dated 6 November 2023, the relevant consultees have provided comments on the submitted information and we are not aware of any significant objections to those conditions being discharged, therefore, we would respectfully ask that your Authority issues a decision in relation to those conditions at the earliest opportunity.

I trust that the information provided within this letter is understood and agreed, but please do not hesitate to contact me if you have any questions or require any further clarification.

Yours sincerely,

Sam Rogers

Sam Rogers
Planning Manager

