

Delivered via the Planning Portal

FAO Rosie Dinnen
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire Moorlands
ST13 6HQ

Our Ref: SR/R9051

12 July 2024

Dear Rosie,

**LAND SOUTH EAST OF A521, A50 BLYTHE BRIDGE BYPASS, BLYTHE BRIDGE, STAFFORDSHIRE:
APPLICATION TO VARY CONDITIONS 2, 33 AND 39 OF PLANNING PERMISSION REF.
SMD/2018/0790**

We hereby apply under the provisions of Section 73 of The Town and Country Planning Act 1990 to vary conditions 2, 33 and 39 of planning permission ref. SMD/2018/0790. The application comprises:

- This covering letter
- Completed application form
- Table – Proposed Condition Changes – SMD/2018/0790
- Site Location Plan (Ref. R9051-RLA-18-XX-DR-A-2001 D)
- Proposed S104 Layout Plan (Ref. 12629 501 M)
- Flood Risk & Drainage Statement (Ref. JH/12629 Fourth Issue, dated June 2024)
- Proposed Levels Plan (Ref. 12629/300 B)
- Proposed Drainage Areas Plan (Ref. 12629/SK307 B)
- Proposed Flood Routing Plan (Ref. 12629/SK308 B)
- Proposed Impermeable Areas (Ref. 12629/SK306 B)

All documents have been uploaded to the Planning Portal (Application Ref. PP-13149004).

In accordance with the Town and Country Planning (Fees for Applications, Deemed Applications/Requests and Site Visits) (England) Regulations 2012 (as amended), a payment for the sum of £293 has been provided to cover the flat rate fee for an application to remove or vary a condition following grant of planning permission.

Your Authority granted full planning permission, subject to conditions, on 12 May 2020, for the development of 146 dwellings, access and internal roads for vehicles, pedestrian and cycle linkages; car

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and cycle parking; associated play and open space, landscaping, ecological habitats; sustainable drainage measures, earthworks and all ancillary enabling works including the demolition of building and structures on Phase 1 of the residential development on the land allocated under Policy DSR1: Blythe Vale in the adopted Staffordshire Moorlands Local Plan (Application Ref. SMD/2018/0790).

The above referenced permission was later amended by way of an application submitted under the provisions of Section 96a of The Town and Country Planning Act 1990, which was approved on 17 April 2023 (Application Ref. NMA/2022/0014). The Section 96a application sought approval for a revised Proposed Site Plan, which removed 23no. residential dwellings that were no longer intended to be delivered under SMD/2018/0790 and reduced the extent of the application red line boundary accordingly. The application also sought approval to amend the description of development to ensure consistency with the revised proposals by referring to 123, rather than 146 dwellings.

A separate full planning application which sought approval for a development of 11no. residential dwellings (Use Class C3) and associated works comprising internal access roads, parking, and hard and soft landscaping, in place of the 23no. residential dwellings that had previously been approved under SMD/2018/0790, was subsequently approved, subject to conditions, on 25 April 2023 (Application ref. SMD/2021/0370).

As a result of the above applications, a total of 134 dwellings have been delivered on Phase 1 of the residential development on the land allocated under Policy DSR1: Blythe Vale in the adopted Staffordshire Moorlands Local Plan.

Minor Material Amendment

This application proposes to vary two of the plans referenced under condition 2 of SMD/2018/0790 (as amended), along with the Flood Risk Assessment referenced under conditions 33 and 39 of SMD/2018/0790 in order to seek a minor change to the approved drainage scheme.

The proposal relates to the introduction of an open basin in place of the approved subterranean drainage tank. The storage capacity of the proposed basin would be the same as the approved tank; and the rate at which surface water would be discharged from the basin into the culvert under the A50 would also remain unaffected.

Replacing the subterranean tank with an open basin would provide a more natural solution to accommodating surface water on the development and minimise disruption for occupied properties by avoiding the need to install a below ground concrete tank.

Condition 2 of SMD/2018/0790 (as amended) currently lists a number of approved plans, including the following two drawings, both of which show the area containing the subterranean tank:

- Site Location Plan (Ref. R9051-RLA-18-XX-DR-A-2001 B)
- Proposed Drainage Plan (Ref. 12629 301 A)

In place of the above referenced drawings, we hereby seek approval for the following plans:

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- Site Location Plan (Ref. R9051-RLA-18-XX-DR-A-2001 D)
- Proposed S104 Layout Plan (Ref. 12629 501 M)

The revised Site Location Plan takes into account the area required to accommodate the open basin, which is slightly larger than had previously been required for the tank, as well as the approved positions of the drainage pipework. In addition to the updated Site Location Plan, the Proposed S104 Layout Plan will need to supersede the approved Proposed Drainage Plan; the Proposed S104 Layout Plan shows the basin in place of the tank. None of the other approved layout drawings show the proposed tank, therefore it is not necessary to amend these plans to reflect the change for which approval is hereby sought, although revised versions of the following engineering plans have been submitted for completeness to reflect the reduction in dwelling numbers, as previously approved under NMA/2022/0014:

- Proposed Levels Plan (Ref. 12629/300)
- Proposed Drainage Areas Plan (Ref. 12629/SK307)
- Proposed Flood Routing Plan (Ref. 12629/SK308)
- Proposed Impermeable Areas (Ref. 12629/SK306)

Conditions 33 and 39 of SMD/2018/0790 (as amended) both currently list Flood Risk Assessment (Ref. JH/12629 dated December 2018) as an approved document. In light of the minor changes to the drainage scheme, please find enclosed an updated version of this document (Ref. JH/12629 Fourth Issue, dated June 2024) which has been revised to change any references from subterranean tank to open basin; the document has also been updated to reflect the reduction in the total number of dwellings that are being delivered on Phase 1 of the development as a result of the applications set out earlier in this letter. Accordingly, we hereby seek approval to vary conditions 33 and 39 on SMD/2018/0790 in order that they refer to the enclosed version of the Flood Risk Assessment.

For completeness, we would suggest that the development description is also amended to the following to reflect the earlier change granted approval under NMA/2022/0014 and that the wording of conditions 5, 8, 11, 12, 17, 23, 25, 26, 27, 31, 35, 36, 37, 38 and 40 is also amended to reflect that they have subsequently been addressed under discharge of condition application refs. DOC/2020/0049, DOC/2020/0103 and DOC/2021/0004. A letter confirming that conditions 5, 11, 17, 23, 25, 26, 27, 31, 35, 36 and 37 on SMD/2018/0790 are deemed discharged and that conditions 8, 12, 38 and 40 on SMD/2018/0790 can be formally discharged been provided with this application for information purposes only.

For ease of reference, please also find enclosed a document titled 'Table – Proposed Condition Changes – SMD/2018/0790' which includes the current wording of conditions 2, 33 and 39, alongside the proposed revised wording of those conditions. The document also includes suggested amendments to the wording of conditions 5, 8, 11, 12, 17, 23, 25, 26, 27, 31, 35, 36, 37, 38 and 40.

The specific area of land to which this amendment relates is within the sole ownership of St. Modwen Homes, therefore notification under Article 10 of the Town and Country Planning (Development

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Management Procedure) (England) Order 2015 (as amended) been not given to any occupied plots within the development on the basis that their land is not directly affected by this application.

I trust that the enclosed documents provide the necessary information to enable your Authority to determine the application and I look forward to receiving formal acknowledgement that the application has been validated in due course. However, should you require any further information or clarification in relation to the submission, please do not hesitate to contact me.

Yours sincerely,

Sam Rogers

Sam Rogers
Planning Manager

Enc.

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