STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Providence Land Limited
C/o Agent

Application no: SMD/2020/0502

Determined on: 13th November 2024

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

GRANT OF OUTLINE PLANNING PERMISSION

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:
Land South Of Thorley Drive Cheadle Staffordshire

Description of Development:
Outline planning permission with all matters reserved for residential develeopment and associated works

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

1. The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called ""the reserved matters"") before any development is commenced, Layout, Scale, Appearance, Landscaping and Access

Reason:- The application is an outline application under the provisions of Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

2.Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:- To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:- To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

4. The development hereby approved shall be carried out in accordance with the following drawings and documents

Location Plan 0180/002

Reason:- To define the permission and in the interests of proper planning

Travel plan/Access

5.None of the units hereby approved shall be occupied until such time that a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals, including a timetable, to promote travel by sustainable modes. The approved Travel Plan shall subsequently be implemented as approved and in accordance with the timetable set out in the plan. Thereafter on the anniversary of the date of approval of the Travel plan, an Annual Performance Report (which shall include, as appropriate, the proposals and/or remedies required as set out in the Travel Plan) shall be submitted to the Local Planning Authority for its written approval. In the event that an Annual Performance Report is submitted which does not in the opinion of the Local Planning Authority achieve the objectives and/or targets of the Travel Plan and such opinion has been conveyed in writing, proposals and/or remedies in accordance with the Travel Plan shall be submitted to the Local Planning Authority for its approval in writing. This process shall be repeated as often as necessary until such revised proposals and/or remedies to the Travel Plan are approved in writing by the Local Planning Authority.

Reason:- To comply with NPPF paragraph 108; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety and to encourage alternative means of transport and comply with Local Plan Policy T1

6. No development, including site clearance and site stripping shall commence until such time that a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority detailing the management and routeing of demolition/construction traffic, delivery times, internal compound arrangements and wheel washing facilities. The approved Construction Traffic Management Plan shall be strictly adhered to and implemented throughout the construction period

Reason:- To comply with NPPF paragraph 108; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety.

Ecology

7.The first reserved matters application shall be accompanied by a Landscape and Ecology Management Plan (LEMP) for the written approval of the Local Planning Authority. This shall inform the application and be based on the BNG Calculation, Cheadle Phase 2 (rev2) (11/11/2021), Preliminary Ecological Appraisal August 2020 and Breeding Bird Survey September 2020 and shall include amongst other matters (noting that this list is not exhaustive):-

a) Further surveys for bats and amphibians,
b) Mitigation and enhancement measures for protected and priority species
c) A Local Wildlife Site assessment of the species-rich hedgerows to inform mitigation/ enhancement/ management.
d) Habitat creation and proposed new planting/landscape features on site including timescales for implementation and measures to secure its long term management
e) full details of the off site mitigation to be provided on land to the south east of the site as described in the BNG Calculation, Cheadle Phase 2 (rev2) (11/11/2021) together with a timescale for implementation of the works and measures to secure its long term management

The development shall subsequently proceed strictly in accordance with the approved LEMP and implementation timescales

Reason:- In the interests of protected species and biodiversity enhancement on site

Trees
8.The first reserved mattters application shall be accompanied by an updated Arboricultural Survey Report (ASR) for the written approval of the Local Planning Authority which shall be based on the submitted ASR dated August 2020 but revised to take account of the detailed layout and provide tree protection measures. The development shall thereafter be carried out in accordance with the approved ASR
Reason:- To protect existing trees and hedgerows in the interests of the character and appearance of the area

Drainage
9.The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved drainage details before the development is first brought into use.
Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

10. The first reserved matters submission shall be accompanied by a detailed surface water drainage design and implementation timetable for the written approval of the Local Planning Authority. It shall be designed in consultation with the Lead Local Flood Authority and shall finalise the detail of the Preliminary Drainage Strategy Plan (20111 / SK01 – B) submitted at outline planning stage and must further demonstrate:
a) Infiltration testing in accordance with BRE digest 365 shall be undertaken to fully demonstrate the viability/ non viability of using infiltration methods to provide full (or partial) discharges to ground via infiltration methods in line with Part H of the building regulations.
b) Full design detail and cross sections of the re-graded land drain and proposed swale to demonstrate capacity to convey flows of 6.3 l/s towards to the unnamed tributary of the Cecilly Brook as shown upon the Preliminary Drainage Strategy Plan (20111 / SK01 – B).
c) A plan showing the total impermeable areas of the post developed site. The modelled impermeable area of the site shall be increased by 8% to include an allowance for urban creep over the lifetime of the development.
d) Surface water drainage system(s) designed in accordance with the non-technical standards for sustainable drainage systems (DEFRA, March 2015).

e) All discharges from the site to be limited to a maximum rate of 6.3 l/s.
f) Provision of attenuation storage for all events up to and including the 100-year return period plus and allowance of 30% for climate change to achieve the restricted discharge rate as per the approved Preliminary Drainage Strategy Plan (20111 / SK01 – B).
g) SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff. All SuDS measures are to be demonstrated on the drainage plan.
h) Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on any attenuation system, SuDS features and the outfall arrangements. The attenuation basin shall include an emergency bypass channel or emergency spillway feature to ensure an alternative route for surface water is available to the final outfall point if the inlet or outlet headwall becomes blocked.
i) Calculations should demonstrate the performance of the designed system and attenuation storage for a range of return periods and storm durations (15 minutes to 48 hours), to include as a minimum the 1:2 year, 1:30 year and the 1:100-year plus climate change return periods.
j) Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
Finished floor levels to be set 150mm higher than surrounding ground levels to mitigate the risk from exceedance flows.
K)Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development. To include the name and contact details of the body(-ies) responsible.
l)The drainage details shall have regard to the Biodiversity Impact Assessment and calculation BNG Calculation Cheadle Phase 2 (rev 2) (11/11/2021|)

The development shall thereafter proceed in accordance with the approved details and implementation timetable

Reason:- To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development and in the interests of biodiversity

11. A scheme to demonstrate that satisfactory arrangements for the control of surface water are in place as part of any temporary works associated with the permanent development and before completion of the approved drainage strategy shall be submitted to approved in writing by the Local Planning Authority before any development commences on site including site clearance and site stripping. Development shall thereafter be implemented in accordance with the agreed arrangements.

Reason:- To ensure that flood risk is not increased prior to the completion of the approved drainage strategy.

Construction & Demolition: Construction Method Statement

12. No development including site clearance and site stripping shall take place until such time that a Construction and Environmental Method Statement (CEMS) has been submitted to and approved in writing by the Local Planning Authority. The CEMS and approved in writing 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 method and duration of any pile driving operations (expected starting date and completion date). Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
III. The arrangements for prior notification to the occupiers of potentially affected Properties by any pile driving operations
IV. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
V. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
VI. a scheme for recycling/disposal of waste resulting from the demolition/construction works;
VII. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

The approved Construction and Environmental Method Statement shall be strictly adhered to and implemented throughout the construction phase.

Reason: To protect the amenities of the area from dust and avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

Contamination

13. No development approved by this planning permission shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:
I. A site investigations scheme, based on the information already provided to support a detailed assessment of risks to all receptors that may be affected, including those off site
II. The results of the site investigation and the detailed risk assessment referred to in 1, above and, based on these, an options appraisal and a remediation strategy giving full details of remediation objectives and remediation criteria
III. A validation plan providing details of the data that will be collected in order to demonstrate that the all works set out in II above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
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.

Validation

14.Prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the

remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the validation plan, and for the reporting of this to 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.

Unexpected Contamination
15. 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 any further until an initial investigation and risk assessment has been completed in accordance with a scheme to be first agreed in writing by the Local Planning Authority, which shall assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence further 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 prepared and shall be subject to the written approval of the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.
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.

Coal mining
16. No development shall commence until the following has been submitted to and approved in writing by the Local Planning Authority
a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
b) full details of any remediation works and/or mitigation measures required to address land instability arising from coal mining legacy, as may be necessary together with an implementation timetable
The agreed measures shall subsequently be implemented on site in full and in accordance with agreed implementation timetable in order to ensure that the site is made safe and stable for the development proposed.
The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.
Reason:- To ensure a safe and stable development

17. Prior to first occupation of any of the units hereby approved, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:- To ensure a safe and stable development

Importation of soil/ fill

18. No top soil / fill material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence 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.

Air Quality

19. Prior to the commencement of development, an updated detailed Air Quality (AQ) Assessment, incorporating both Phase 1 (the recently completed development to the north) and the proposed development, shall be submitted to and approved in writing by the Local Planning Authority. The full scope of assessment shall be first agreed in writing with the Local Planning Authority and shall be appropriate to both the location and scale of development and designed to quantify the impact of the proposed development upon the existing air quality within the local area. If the assessment indicates a potential breach in local AQ objectives as a result of the development, the development shall not precede until an Air Quality Action Plan (AQAP), detailing possible mitigation measures that could be adopted in the future by the Local Planning and Highways Authority, to improve AQ in the area, has been submitted and approved in writing by the Local Planning Authority. The development shall subsequently proceed in full accordance with the AQAP

Reason: To ensure that the development does not cause breaches in local Air Quality Objective and help secure a long-term improvement in Cheadle AQ

Levels

20. The first and each subsequent reserved matters application shall be accompanied by the following detail for the written approval of the Local Planning Authority

a) existing and proposed levels across the site and relative to adjoining land,
b) finished floor levels of the proposed buildings
c) long and cross sections through the site

Development shall thereafter be undertaken in accordance with the approved details.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

Dwelling height

21. Notwithstanding reference in the Planning and Sustainability Statement and Design and Access Statement, no dwellings hereby approved shall be greater than 2 storey (8m) in height

Reason:- In the interests of the character and appearance of this edge of settlement site which adjoins open countryside

Dwelling mix

22. The mix of units at reserved matters shall reflect the Council's Strategic Housing Market Assessment and all units shall meet the Nationally Described Space Standards
Reason: - To ensure an appropriate mix of units to reflect local need and comply with national standards for internal space within new dwellings

Structural/screen planting

23. The reserved matters application of 'Landscaping' shall include for buffer structural /screen planting (minimum 10m in width) along the southern and western boundaries of the site as per the Trees and Woodland Officers advise – email dated 11th June 2021
Reason:- To protect and enhance the settlement edge in the interests of the character and appearance of the area

Informative

1. A sustainable development has been negotiated which complies with the provisions of the NPPF
2. This permission should be read in conjunction with the Section 106 Agreement dated 22nd October 2024
3. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.
4. The applicant's attention is drawn to the fact that the detailed layout to be submitted at reserved matters stage should benefit, amongst other matters, from the following:
    - the use of shared surface streets in accordance with the principles outlined in Manual for Streets.
    - good internal and external pedestrian connectivity.
    - parking provision to comply with Local plan standards and be of sufficient geometry for example a width of 3.0m if hard up against a boundary to aid vehicle manoeuvring.
    - swept path analysis to cater for a 12.0m long refuse vehicle.
    - drainage to SUDS principles
    - the attenuation/balancing pond should be integrated with the landscaping and houses using existing ditches and green areas to dissipate water, to increase resilience and reduce the size of the balancing features

    The Indicative layout is considered to be rather poor, dominated in part by roads, vehicles and hard surfacing and with generally a lack of space for meaningful landscaping and green space. Although development is shown to be outward facing and shows a potential strip of open space along the southern edge, this is too narrow and along this southern boundary and the western boundary structural/screen

landscaping is necessary to mitigate impact and protect/enhance the settlement edge and to make the development acceptable in planning terms

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.