

Mr Macindoe
The Casey Group Ltd
Rydings Road
Rochdale
OL12 9PS

Application no: SMD/2021/0536

Determined on: 18th November 2024

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

APPROVAL OF RESERVED MATTERS

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 at Barnfields Industrial Estate Sunnyhills Road Leek Staffordshire ST13 5RJ

Description of Development:

Reserved matters application for approval of appearance, landscaping, layout, and scale to provide: 141 residential dwellings (Class C3) providing a mix of two, three and four bedroom houses, and two bedroom apartments; 2 x live / work units (Sui Generis); 1 x public house / restaurant / café (Sui Generis / Class E(b)); a marina / basin and associated boating facilities with 13 berths; associated works including internal road network, associated highway works, drainage infrastructure, landscaping, open space, play area, pedestrian, and cyclist links; land reserved for future railway station with associated heritage / railway activities building/s and car parking; and land reserved for future link road including associated landscaping. The application is submitted pursuant to outline planning permission SMD/2014/0750.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development: appearance, landscaping, layout, and scale subject to the following conditions:

1. This notice of approval of reserved matters shall only relate to outline planning permission SMD/2021/0537

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

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

Location plan	21039 00 Rev B
Proposed site Layout	21039 01 Rev L
Illustrative site Layout	21039 02 Rev L
Boundary treatment layout	21039 03 Rev F
Boundary treatment details	21039 04 Rev C
Illustrative street scenes	21039 05 Rev C
Character areas	21039 07 Rev F
Road adoption plan	21039 09 Rev D
Illustrative street scenes	21039 10 Rev B
Illustrative site section	21039 11 Rev E
General Arrangement plan	UG_1145_LAN_GA_DRW_01 P22
Hard landscape plan	UG_1145_LAN_GA_DRW_03 P17
Play area	UG_1145_LAN_GA_DRW_02 P09
Soft landscape 1 of 3	UG_1145_LAN_GA_DRW_04 P14
Soft landscape 2 of 3	UG_1145_LAN_GA_DRW_05 P11
Soft landscape 3 of 3	UG_1145_LAN_GA_DRW_06 P12
Finished site levels	BFL RDG 00 ZZ DR C 005 Rev P5; 006 Rev P5, 007 Rev P2, 008 Rev P2 and 009 Rev P2

Urban Core house types

21039 HT UC 01	Type A
21039 HT UC 02	Type A1
21039 HT UC 03	Type B
21039 HT UC 04	Type C
21039 HT UC 05	Type D
21039 HT UC 06	Type D sp
21039 HT UC 07 Rev A	Type E (Floor plans)
21039 HT UC 08 Rev A	Type E (Elevations)
21039 HT UC 09	Type F-G1 (Floor plans)
21039 HT UC 10	Type F-G1 (Elevations)
21039 HT UC 11	Type F
21039 HT UC 12	Type F sp
21039 HT UC 13	Type G1
21039 HT UC 14	Type G2
21039 HT UC 15	Type H
21039 HT UC 18	Focal properties
21039 HT UC 19	Garage details
21039 HT UC 20	Type F-G2 (Floor plans)
21039 HT UC 21	Type F-G2 (Elevations)

Station approach

21039 HT SA 01	Type D
21039 HT SA 02	Type D sp
21039 HT SA 03	Type E (floor plans)
21039 HT SA 04	Type E (Elevations)
21039 HT SA 05	Type J Live -work units (Floor plans)
21039 HT SA 06	Type J Live-work units (Elevations)

Countryside house types

21039 HT CS 01 Type A
21039 HT CS 02 Type A1
21039 HT CS 03 Type B
21039 HT CS 04 Rev B Type C
21039 HT CS 05 Rev B Type D
21039 HT CS 06 Type G
21039 HT CS 07 Garage detail

Focal building

21039 HT FB 01 Floor plans
21039 HT FB 02 Floor plans
21039 HT FB 03 Elevations
21039 HT FB 04 Elevations

Marina area House types

21039 HT MA 01 House type D+
21039 HT MA 02 House type E+ (Floor plans)
21039 HT MA 03 House type E+ (Elevations)
21039 HT MA 04 House type E+ (Floor plans)
21039 HT MA 05 House type E+ (Floor plans)
21039 HT MA 06 House type E+ (Elevations)
21039 HT MA 07 Garage detail

Railside

21039 HT RS 01

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. Notwithstanding the submitted plans, no phase of the development agreed under Condition 5 of SMD/2021/0537 shall take place above slab level until details and samples where required of the following have been submitted to and approved in writing by the LPA. The development shall subsequently be carried out strictly in accordance with the approved details

For all character areas :-

- Facing bricks and render type
- Roof tiles
- Window details, including glazing bar subdivision; heads and cill detail
- All Windows and doors shall be set back a minimum of 75mm from the edge of the brickwork around the window and door opening
- Hard Landscape – roads and footpaths, road signs, street furniture, lighting scheme for roads and footpaths
- Full details of all proposed fencing shown on the Boundary Treatment plan – height, materials, finish

Additionally for the Marina, Countryside edge, Station approach, Railside and Focal building character areas and the Focal buildings:-

- Eaves, verge detail (no barge boards and tile edging strips/caps)
- String course detailing

Reason:- In the interests of the character and appearance of this rural area and to ensure an acceptable external finish

Removal of permitted development

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Schedule 2, Part 1, Class(es) A, AA, B, C and E Class(es) and Part 20 shall be carried out on Plots 31, 32, 37,38, 51,52, 62-67, 81-86, 105-108, 110 – 113, 115- 118 other than those expressly authorised by this permission, without express planning permission first being obtained from the Local Planning Authority.

Reason:- To enable the Local Planning Authority to control the development and so safeguard the amenity of occupiers and the external appearance of the development

Highways/access

5. No phase of the development agreed under Condition 5 of SMD/2021/0537 shall be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans for that phase. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.

Reason:- To comply with NPPF paragraph 111; to comply with SMDC Local Plan policy DC1; in the interests of highway safety and to comply with the Councils parking standards

6. The garages indicated on the approved plan 21039 01 Rev L shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

Reason:- To comply with NPPF paragraph 111; to comply with SMDC Local Plan policy DC1; in the interests of highway safety and to comply with the Councils parking standards

7. Prior to first occupation of any permitted new dwelling the parking area for that dwelling shall be provided and surfaced in a bound material for a minimum distance of 5m rear of the proposed highway boundary and shall thereafter be retained for the life of the development for their designated purposes.

Reason:- To comply with NPPF paragraph 111; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

8. Surface water drainage interceptor, connected to a surface water outfall, shall be provided across the access immediately to the rear of the highway boundary of any plot driveway/access which falls towards the highway before the dwelling of that driveway/access is occupied

Reason:- To comply with NPPF paragraph 111; to comply with SMDC Local Plan policy DC1; in the interests of highway safety and to prevent surface water flowing onto the highway

9. Notwithstanding the submitted details and before the development hereby approved is submitted for adoption technical approval, swept path of minimum 11.2m long refuse vehicle or of dimensions confirmed by SMDC Refuse collection contractor shall be first submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be built in accordance with the approved detail

Reason:- To comply with NPPF paragraph 111; to comply with SMDC Local Plan policy DC1; in the interests of highway safety and to ensure the roads are constructed to an adoptable standard and dwellings can be serviced by refuse vehicles.

Footpath links/connectivity

10. No phase of the development agreed under Condition 5 of SMD/2021/0537 shall commence until such time that full details of the proposed footpath links for that phase shown on drawing 21039 01 Rev L have been submitted and approved in writing by the Local Planning Authority. The footpaths shall be constructed as far as reasonably possible to cater for pedestrians, prams/buggies/wheelchairs, cyclists and those carrying equipment for water activities. The development shall subsequently proceed fully in accordance with the agreed details and the paths fully completed before first occupation of any dwelling in that phase.

Reason:- In the interests of permeability, connectivity and inclusivity and to encourage active healthy lifestyles and achieve a sustainable form of development

Retaining walls

11. No development including site stripping and levelling shall take place until such time that full details of the proposed crib retaining wall on the southern boundary have been submitted to and approved in writing by the LPA. Such detail to include but not limited to construction details, extent, height, cross and long sections, planting details and finish. The development shall proceed strictly in accordance with the agreed details

Reason:- In the interests of the character and appearance of the area and to ensure an acceptable interface with the Country park to the south

Landscaping/tree protection

12. No development including site stripping and levelling shall take place until such time that an off site planting scheme on the land immediately to the south east of the site, in the vicinity of plots 12-18 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be drawn up in conjunction with Staffordshire Wildlife Trust, managers of Ladderidge Country park, and shall include full planting details with timescale for implementation and details of plant aftercare. The approved planting shall be carried out in accordance with the approved timetable and thereafter maintained in accordance with the approved aftercare details.

Reason:- To soften views of the development and particularly the proposed close boarded fencing to the rear of plots 12-18 in the interests of the character and appearance of the area.

13. The Landscaping plans hereby approved shall be implemented before the end of the first planting season (November to February inclusive) following completion of the final dwelling of each phase agreed under Condition 5 of SMD/2021/0537. All planting shall be maintained for a minimum period of 5 years following planting and any which are removed, become diseased, die or otherwise fail to establish within this period shall be replaced with similar species and the replacements themselves shall be properly maintained for 5 years.

Reason:- In order to secure an appropriate landscape design and to protect the visual

14. The development hereby approved shall be carried out fully in accordance with the recommendations at section 4.11 of the submitted Arboricultural Impact Assessment by Urban Green dated January 2023

Reason:- To protect trees and hedges in the interests of the character and appearance of the area

Construction fencing/hoarding

15. Any temporary site construction fencing/hoarding erected along the northern boundary alongside plots 120, 126 and 127 and along the Barnfield Road frontage of plots 120-122 inclusive shall be of an open mesh type (paladin or similar). No solid fencing shall be erected in these locations

Reason:- To protect the amenity and safety of users of the adjacent footpath

Informatives

1. An improved scheme has been negotiated which is considered to meet the provisions of the NPPF

2. 'For online advice on construction site security, the applicant's attention is directed to the following publications from recognised bodies - The British Security Industry Association's 'Construction Site Security – A Guide' and Secured by Design's 'Construction Site Security Guide 2021'.'

3. Please note that you are breaking the law if you:-

- capture, kill, disturb or injure a European protected species (on purpose or by not taking enough care)
- damage or destroy a breeding or resting place (even accidentally)
- obstruct access to their resting or sheltering places (on purpose or by not taking enough care)
- possess, sell, control or transport live or dead individuals, or parts of them

Disturbing a protected species includes any deliberate activity that affects:

- a group's ability to survive, breed or raise their young
- the species' numbers or range in the local area

If you're found guilty of an offence you could get an unlimited fine and up to 6 months in prison.

4. The Late Representation Report to the Planning Applications Committee contained a further condition in relation to details of the path to be provided through the reserved link road land with steps up to link to the existing path on the railway line to be submitted to and approved in writing by the LPA. This land now lies outside of the application site and is subject to a separate consent (SMD/2022/0498). Condition 3 of that permission makes provision for the path.

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 the Councils Building Control Section at buildingcontrol@staffsmoorlands.gov.uk
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.