

Development Management
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

11 June 2026
EP ref: 24-057

Dear Sir/ Madam

Re: Planning Portal Ref: PP-14886136
Discharge of Conditions 3, 4, 6, 7, 8, 11, 15, 18, 20, 21 and 23 of planning permission: SMD/2023/0423
Site: Land off Tenford Lane, Upper Tean, ST10 4EN

We have been instructed on behalf of our client Markden Homes to submit this application for approval of details reserved by Conditions 3, 4, 6, 7, 8, 11, 15, 18, 20, 21 and 23. attached to planning permission ref: SMD/2023/0423 approved on 3 June 2026 for the erection of 87 no. dwellings and associated works.

The discharge of conditions has been subject to pre-application discussions via a PPA, and we provide an update on the status of each condition in addition to providing the details submitted to discharge each condition.

Condition 3 states:

"Prior to any above ground works - excluding those elements of the scheme already approved under SMD/2024/0031 - a full materials palette shall be submitted to and approved in writing by the local planning authority. The materials palette shall reflect the colours and textures of those dwellings already delivered on site where this is relevant. The materials palette shall include the following:

- *Details of the principal walling and roofing materials, and architectural detailing and materials and finish with these details*
- *Details of the treatment of the eaves including materials and finishing to include fascias, soffits and bargeboard including rainwater goods*
- *Details of doors (including garage doors), windows and other fenestration, including materials, colour and finishes*
- *Details of all external surfacing materials, including the details of the streets, pavements, private drives and footpaths through the parks and landscape.*

The development hereby approved shall be delivered in complete accordance with the agreed materials schedule.”

In respect of Condition 3, it has been informally agreed with the Planning Officer that the information submitted at the pre-application stage is sufficient to discharge the condition. The following information is submitted:

- 1079 – Materials Schedule Rev E; and
- A1079_02E_Materials Plan.

Condition 4 states:

“Prior to the occupation of the first dwelling, excluding dwellings approved by SMD/2024/0031 (as amended), full details of all street furniture, including signage, seating areas, and lighting, shall be submitted to and approved in writing by the local planning authority. All street furniture shall be delivered on site in complete accordance with this plan within six months of the occupation of the first dwelling hereby approved, excluding dwellings approved by SMD/2024/0031 (as amended). These facilities and items shall be maintained as such in perpetuity.”

In respect of Condition 4, it has been informally agreed with the Planning Officer that this condition is discharged. The following information is submitted:

- M3774-PA-06-V1 POS Bench; and
- M3774-PA-07-V1 Mobility Kissing Gate.

Condition 6 states:

“Prior to the commencement of the development hereby approved, excluding dwellings approved by SMD/2024/0031 (as amended), details relating to a strategy for the on-site delivery of Biodiversity Net Gain to a minimum of 10% shall be submitted to and approved in writing by the local planning authority. The details shall be consistent with the species protection and mitigation measures and recommendations as set out within the Preliminary Ecological Appraisal (Elite Ecology) dated June 2023 in addition to any subsequent or updated survey. Once approved, the scheme shall be implemented in accordance with the submitted details and shall be implemented in full prior to the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved.”

Information was submitted in relation to condition 6 as part of the pre-application. A response was received from Staffordshire Wildlife Trust in November 2025. Additional information was submitted on 4th March 2026 but a response has not been received at the time of writing. In respect of Condition 6 the following information is submitted:

- Biodiversity Net Gain Assessment by Rachel Hacking Ecology REV.B;
- The Statutory Biodiversity Metric by Rachel Hacking Ecology; and
- Habitat Management and Monitoring Plan by Leigh Ecology.

Condition 7 states:

“No development including site clearance, excluding dwellings approved by SMD/2024/0031 (as amended), shall take place until a Construction Environmental Management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). This must include:

- *Risk assessments of potentially damaging construction activities.*
- *Identification of biodiversity protection zones.*

- *Reasonable avoidance measures for badgers, GCN, nesting birds, reptiles and hedgehogs.*
- *Practical measures during construction to avoid or reduce impacts during construction (may be provided by method statements).*
- *The location and timing of sensitive works to avoid harm to biodiversity.*
- *Confirmation that there will be no clearance of trees, shrubs, tall ruderal or brambles between 31st March and 31st August inclusive unless a competent ecologist has undertaken a careful detailed check of vegetation for active birds’ nests, immediately before vegetation removal, and provided written confirmation that no birds will be harmed and/or appropriate methods are in place to protect nesting bird interest on sites. Any such written confirmation should be submitted to the LPA for its written approval before any clearance of trees, shrubs, tall ruderal or brambles.*
- *Lighting used during construction to minimise impacts on wildlife.*
- *Open excavations or pipes to be sealed at night.*
- *Ramps / planking to be installed to permit wildlife to escape being trapped in structures during construction.*
- *The role and responsibilities of an ecological clerk of works or similar competent person.*
- *Disposal of waste material on site.*
- *Use of protective fences, exclusion barriers and warning signs.*

The CEMP shall be implemented and adhered to throughout the construction period strictly in accordance with approved details.”

Information was submitted in relation to condition 6 as part of the pre-application. A response was received from Staffordshire Wildlife Trust in November 2025. Additional information was submitted in January 2026 but a response has not been received at the time of writing. In respect of Condition 7 the following information is submitted:

- Tean Valley Environmental CEMP V1 by Leigh Ecology.

Condition 8 states:

“No phase of the development hereby permitted, excluding dwellings approved by SMD/2024/0031 (as amended), shall take place except for works of site clearance and demolition until a Construction and Environmental Management Plan for that phase of the site 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, with no arrivals prior to 30 minutes before 8am, nor at any time on Sundays or Bank Holiday;*
- II. the method and duration of any pile driving operations (including expected starting date and completion date);*
 - III. 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;*
 - IV. the arrangements for prior notification to the occupiers of potentially affected properties;*
 - V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;*
 - VI. A dust management plan containing the measures outlined in Appendix D: Mitigation Measures for Construction Impacts, in the Air Quality Assessment undertaken by the Aval Consulting Group and submitted in support of the application.*
 - VII. A scheme for recycling/disposal of waste resulting from the construction works;*
 - VIII. the parking of vehicles of site operatives and visitors;*
 - IX. The loading and unloading of plant and materials;*
 - X. the storage of plant and materials used in constructing the development;*
 - XI. 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, and*
 - XII. The details of any generator/s to be used on site. They shall 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 CEMP.”

The CEMP was included in the pre-application submission. The Environmental Health Officer confirmed that the CEMP is acceptable. The Highways Officer requested amendments on 11th February 2026, a revised CEMP was submitted on 27th February 2026 but no response has been received at the time of writing. In respect of Condition 8 the following information is submitted:

- Air Quality Assessment by Aval Consulting Group;
- Compound and Parking Plan by Geoff Perry Associates Ltd Ref: A1079 Drg 12 Rev A;
- Construction Environmental and Traffic Management Plan by Markden Homes Construction Ltd; and
- Site Access Route drawing by Hewitt & Carr Architects – Ref: AL(0)08.

Condition 11 states:

“Prior to the commencement of development, excluding dwellings approved by SMD/2024/0031 (as amended), a Lighting Strategy providing details of all external artificial lighting to be installed (including within all streets, areas of open space and footpaths) for the whole site shall be submitted to and approved in writing by the Local Planning Authority. The artificial lighting incorporated into this site in connection with this permission shall not increase the pre-existing illuminance or cause glare at the adjoining light sensitive locations when the light(s) is (are) in operation. All lighting installed as part of the development hereby approved shall be implemented in accordance with the approved details.”

The Environmental Health Officer confirmed that the details submitted are acceptable on 6th January 2026. In respect of Condition 11 the following information is submitted:

- Outdoor Lighting Report by Cencode Ltd (Phase 1 & 2) – Ref: SL/1300/001/E; and
- Street Lighting Design Plan (Phase 1 & 2).

Condition 15 states:

“Prior to the commencement of development, excluding dwellings approved by SMD/2024/0031 (as amended), details of the following highway related works shall be submitted to and approved in writing by the Local Planning Authority:

- *bellmouth access;*
- *footway connections into the proposed site from the existing network;*
- *dropped crossings with tactile paving on both sides of Tenford Lane;*
- *which shall incorporate further two-dimensional and three dimensional revisions as recommended by subsequent Safety Audits and as guided by detailed design.*
- *A travel plan providing a strategy to reduce overall car usage and promote the use of sustainable transport modes.*

The highway works shall thereafter be constructed in accordance with the approved details prior to the development excluding dwellings approved by SMD/2024/0031 (as amended) being first brought into use.”

In respect of Condition 15, it has been informally agreed with the Planning Officer that the information submitted at the pre-application stage is sufficient to discharge the condition. The following information is submitted:

- SCP_230125 Tenford Full Travel Plan_Rev B_issue.

Condition 18 states:

“The development shall not be occupied, excluding dwellings approved by SMD/2024/0031 (as amended), until a bin collection and storage strategy plan has been submitted to and approved in writing by the Local Planning Authority. Bin collection points are to be provided for any streets that can not be accessed by refuse due to block paving. The approved bin collection and storage facilities shall be provided prior to the first occupation of the dwelling to which they relate.”

Comments on the pre-application documents were received from SMDC waste on 18th November 2025. An amended plan was submitted to address the comments made on 17th December 2025. No further response has been received at the time of writing. In respect of Condition 18 the following information is submitted:

- A1079_01K Planning Layout;
- A1079_07C Refuse Plan; and
- UT2 – 100 Refuse Tracking Rev A.

Condition 20 states:

“Prior to occupation of the first dwelling, excluding dwellings approved by SMD/2024/0031 (as amended), a homeowner information pack shall be submitted to and approved in writing by the Local Planning Authority and subsequently provided to the owner of every property on occupation. The homeowner information pack shall include details of:

- *All drainage features and exceedance features within property curtilage (to be listed and shown on plan)*
- *Details of the maintenance tasks required for each exceedance and drainage feature and the frequency that each task should be undertaken.*
- *A statement confirming the function of all exceedance features and that they are only to be replaced with like for like (or betterment) in terms of the protection offered from flood risk and water quality.*
- *Details of the expected lifetime of all features and the responsibility for their replacement.”*

In respect of Condition 20 it has been informally agreed with the LLFA and the Planning Officer that the information submitted at the pre-application stage is sufficient to discharge the condition. The following information is submitted:

- Drainage Home Care Maintenance V2.

Condition 21 states:

“The development hereby permitted shall not commence, excluding dwellings approved by SMD/2024/0031 (as amended), 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, and

- *The drainage scheme shall be implemented in accordance with the approved details before the development excluding dwellings approved by SMD/2024/0031 (as amended) is first brought into use.*
- *Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways shall be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods shall also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.”*

In respect of Condition 21 it has been informally agreed with the Planning Officer it has been informally agreed with the Planning Officer that the information submitted at the pre-application stage is sufficient to discharge the condition. The following information is submitted:

- 6SQM 100YR;
- 8SQM 100YR;
- 10SQM 1000YR;
- 2025 1008 Doc Control;
- 2025 1008 Exceedance Issues;

- BASIN 1 27.09.24;
- BASIN 2 14.02.24;
- K23-013-200 Impermeable Areas Plan;
- K23-013-202 Rev D Drainage Plan;
- K23-013-205 Drainage Construction Details;
- K23-013-206 Typical Soakaway Detail;
- K23-013-207 Road Soakaway Trench;
- K23-013-503 Rev C Suds Maintenance Plan;
- K23-013-504 Rev E Sheet 1 of 4 Overland Routing Plan;
- K23-013-504 Rev E Sheet 2 of 4 Overland Routing Plan;
- K23-013-504 Rev E Sheet 3 of 4 Overland Routing Plan;
- K23-013-504 Rev E Sheet 4 of 4 Overland Routing Plan;
- Road Soakaway Trench;
- Soakaway Trench Road 6; and
- Soakaway Trench Road 7.

Condition 23 states:

“No development, excluding dwellings approved by SMD/2024/0031 (as amended), shall take place until full details of the finished levels, above ordnance datum, of the ground floor(s) of the proposed building(s), in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.”

Following comments from the planning officer, additional drawings were submitted on 4th March 2026, comments are awaited. In respect of Condition 23 the following information is submitted:

- MD25-1-2-219 Rev A External Works Setting out.

Section 106 Agreement

The section 106 Agreement requires a scheme for the location, layout, planting details, timing of delivery in relation to completion of the Dwellings and the future management and maintenance of the Public Open Space as part of the Development to be submitted in accordance with this Agreement.

The location, layout and planting details for the public open space are set out on the following approved drawings listed in condition 13:

- Landscape Layout - M3774-PA-01-V6
- Planting Plan 1 of 2 1:250 @ A0 - M3774-PA-04-V4
- Planting Plan 2 of 2 1:250 @ A0 - M3774-PA-05-V5
- Planting Specification – M3774 V4

The condition requires the landscaping scheme to be implemented in full prior to the end of the first available dormant season (November to February inclusive) following completion of the development.

Details of the bench and kissing gate required for approval are submitted as part of this application in respect of condition 4. Condition 4 requires that the furniture shall be on site within six months of the occupation of the first dwelling (excluding those approved by SMD/2024/0031).

Condition 5 requires the on-site play facilities to be delivered in accordance with the following plans prior to the occupation of the 65th dwelling:

- Plan Overview – 26481rev2/STA 1:100 @ A2 dated 16/09/2024 (Submitted 1 October 2024)
- Plan Area Details – 26481rev2/STA 1:100 @ A2 dated 16/09/2024 (Submitted 1 October 2024)
- Picture Sheet – Markden Homes, Tean Valley View. 26481rev2/STA dated 17/09/2024 (Submitted 1 October 2024)

A scheme for the location, layout and planting details, of the public open space has been approved with the final details enclosed with this application. The timing of delivery in relation to the open space is also secured.

A further technical note in relation to the timing of delivery and the future management and maintenance of the Public Open Space will follow under separate cover.

Summary

In summary, the documents submitted with this application provide the relevant information necessary to discharge the conditions and section 106 obligation on open space as above.

Should you have any queries or require any further information, please do not hesitate to contact this office.

The planning application fee of £400 (including the Portal fee of £91) has been paid via the Planning Portal.

Yours faithfully
Emery Planning

Caroline Payne

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