

Notice of Outline Planning Permission



City of
Stoke-on-Trent

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

Decision Date:
27 August 2024

Mr Martin Levie
Harrison Wood Consultancy Ltd
PO Box 199
Whitchurch
SY13 9EE

Application No: 66172/OUT

Applicant: Mrs Jones

Location: 585 Uttoxeter Road, Stoke-on-Trent, ST3 5LT

Description: Residential development (outline)

The Council has considered this application and hereby **grants** outline planning permission for the development described above in accordance with the submitted plans, drawings and other documents.

This decision is subject to conditions. These are listed below together with the reasons for imposing each one. These conditions must be fully complied with.

1. Application for approval of reserved matters must be made within three years of the date of this permission and the development must be started not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The layout, scale and external appearance of the proposed residential dwellings(s), together with the landscaping of the site, including layout and design of all open land within the site and details of materials and plant species to be used, shall be approved in writing by the Local Planning Authority before any development begins.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. A negative, pre-commencement condition is necessary because full details of the above matters have not yet been provided and must be approved before full construction works commence on the site.

3. The development hereby permitted, in respect of the proposed vehicle access only, shall be carried out in accordance with the following approved plan:

- Proposed Site Layout Drawing No. 1079/001 Revision C dated December 2020 received by the Local Planning Authority on 30 December 2020

Reason: For the avoidance of doubt and in order to define the permission.

4. The detailed landscaping scheme shall be fully completed, in accordance with the details approved under the terms of condition 2 above, in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously approved in writing by the Local Planning Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 10 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason: To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

5. Prior to commencement of the development hereby approved, excluding site preparation works and foundations, precise details of all external facing materials shall first be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be fully constructed in accordance with the approved materials.

Reason: To ensure the satisfactory appearance of the completed development.

6. All reserved matters applications in respect of layout, access, external appearance and landscaping must include precise details of existing and proposed ground levels of the site, the precise details of which shall first be submitted to, and approved in writing by, the Local Planning Authority. The development shall then only fully constructed in accordance with the approved ground levels.

Reason: To make sure that the development is carried out in a way which is in character with its surroundings. A negative, pre-commencement condition is necessary because full details of the site levels have not yet been provided and must be agreed before full construction works commence on the site.

7. Prior to the first occupation of the development hereby approved, precise details of the proposed boundary treatment, shall first be submitted to, and approved in writing by, the Local Planning Authority. The proposed boundary treatment shall be fully implemented in accordance with the approved scheme prior to the first occupation of the development hereby approved.

Reason: To ensure the satisfactory overall the appearance of the completed development and to help assimilate the development into its surroundings.

8. Prior to the first occupation of the development hereby approved, precise details for the incorporation of bat and bird boxes within the development shall first be submitted to, and approved in writing by, the Local Planning Authority. The agreed scheme shall then be implemented on the site prior to the first occupation of the residential development hereby approved and retained in perpetuity.

Reason: In order to encourage biodiversity into the development in accordance with advice in the National Planning Policy Framework.

9. The noise mitigation measures as specified in the Noise Impact Assessment Reference NALPRO200224.1 dated 16 March 2024 received by the Local Planning Authority on 1 April 2024 shall be delivered as part of any reserved matters application pursuant to this outline approval.

Reason: To protect future residential occupiers from the adverse impacts of noise

and disturbance.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, with or without modifications, no enlargement, improvement or other alteration of the residential dwellings shall be carried out and no outbuilding, enclosure or other structure shall be erected within its curtilage without the prior consent of the Local Planning Authority.

Reason: In order to protect the amenity of existing and potential residential occupiers.

11. Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details relating to construction access, hours of construction, the location of the contractors compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and noise from construction activities including the provision of a vehicle wheel wash. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

Reason: In order to minimise the impact of construction activity on the surrounding environment in accordance with the National Planning Policy Framework. A negative, pre-commencement condition is necessary because full details of construction management have not yet been provided and must be approved before full construction works commence on the site.

12. Prior to first occupation of the development hereby approved, precise details of hard surfacing of any car parking and vehicle access areas for the proposed development, shall first be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall then be fully implemented in accordance details prior to the first occupation of the development hereby approved and those areas shall not be used for any other purposes thereafter other than for their intended use.

Reason: In order to ensure the adequate provision and retention of car parking.

13. Prior to the first occupation of the development hereby approved, written and illustrative details of electric vehicle charging points (EVCP) shall first be submitted to, and approved in writing by, the local planning authority before any of the residential dwellings hereby approved are occupied. The EVCP shall be maintained and kept in good working order thereafter as specified by the manufacturer.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

14. Prior to commencement of the development hereby approved, precise details of the way in which surface water is to be disposed of from the site, shall first be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for the use of sustainable drainage techniques and surface water limitation where practicable. The development shall take place in accordance with the approved details only and thereafter it shall be retained and maintained in accordance with the approved scheme.

Reason: To make sure that the site can be drained in a satisfactory way. A

negative, pre-commencement condition is necessary because full details of drainage methods have not yet been provided and must be approved before full construction works commence on the site.

15. Prior to commencement of development hereby approved, a Phase 1 Desk Study Report, which should provide an initial conceptual site model to assess potentially complete pollutant linkages and any potential geotechnical issues, shall first be submitted to, and approved in writing by, the Local Planning Authority.

Should the Phase 1 Desk Study identify the requirement of a detailed site investigation, no development shall take place until a site investigation, based on the Phase 1 Desk Study, is completed to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site, and submitted to, and approved in writing by, the Local Planning Authority. If any contamination is found during the site investigation, then a Remediation Strategy specifying the measures to be taken to remediate the site to render it suitable for its intended use, shall first be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of the development.

Following completion of the measures identified in the approved Remediation Strategy, a Verification Report that demonstrates the effectiveness of the remediation carried out must be submitted to, and approved in writing by the Local Planning Authority, prior to first occupation of the development hereby approved.

If, during the course of the development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall first be submitted to, and approved in writing by, the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To prevent unacceptable risk to health and pollution of the environment in accordance with the aims and objectives of the National Planning Policy Framework. Where a site is affected by contamination or land stability issues, responsibility for securing a safe environment rests with the developer and/or landowner.

16. Prior to commencement of the development hereby approved, and notwithstanding the requirements of condition 15 above, a detailed site investigation in respect of the Network Rail tunnel and shaft within the application site, shall first be submitted to, and approved in writing by the Local Planning Authority in conjunction with Network Rail.

Reason: In order to ensure the safety, operational needs and integrity of the tunnel and shaft is maintained..

17. Prior to commencement of the development hereby approved, a construction methodology statement for the site, which should demonstrate consultation with the Asset Protection Project Manager of Network Rail, shall first be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in accordance with the approved construction methodology, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to safety, operational needs and integrity of the railway tunnel and shaft.

Notes to Applicant (please also see the important notes at the end of this Notice)

1 Article 35 (2) Town & Country Planning (Development Management Procedure) (England) Order 2015

Positive & Proactive Statement

The Council has sought (negotiated) a sustainable form of development and the decision has been made in accordance with paragraph 38 of the NPPF.

- 2 As requested by Network Rail, the applicant's attention is drawn to the attached list of standard railway informatives.

The development is acceptable having assessed the application against the following policies and other material considerations:

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026

SP1 - Spatial Principles of Targeted Regeneration

ASP3 - Stoke-on-Trent Outer Urban Area Spatial Policy

CSP1 - Design Quality

CSP3 - Sustainability and Climate Change

CSP4 - Natural Assets

CSP9 – Comprehensive Area Regeneration

Other Material Considerations

Newcastle-under-Lyme and Stoke-on-Trent Urban Design SPD (2010)

Inclusive Design Access for All SPD (2008)

Greenspace Strategy (2018)

Equality Act 2010

National Planning Policy Framework

Planning Practice Guidance

National Design Guide

Signed:

A handwritten signature in black ink, appearing to be 'F. B.', written over a horizontal line.

Manager - Development Management

NOTES

Please quote the number included at the top of the decision notice if you contact us.

This notice grants outline planning permission only. It does not relate to any other statutory requirement. If you are carrying out building work, **you should check whether you need approval under the Building Regulations**. If you are carrying out works on highway land, you should check whether you need the approval of the City Council as highway authority.

Appeals to the Secretary of State

You can appeal to the Secretary of State for Dept for Levelling Up, Housing and Communities against our decision to include conditions on this planning permission.

You must appeal within **six months** of the date of this notice, using a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN (www.planning-inspectorate.gov.uk). The Secretary of State can allow a longer period for making an appeal, but will not normally do so unless there are special circumstances to justify any delay.

The Secretary of State need not consider an appeal if it seems to him that we could not have granted planning permission for the proposed development or could not have granted it without the conditions we have imposed, having regard to planning law, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either we or the Secretary of State grants permission conditionally, 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. 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.

Discharge of Conditions

Please note that any request made for written confirmation of compliance with a condition or conditions attached to this grant of planning permission will need to be accompanied by the appropriate fee.

Standard Informative

Development should only be carried out in accordance with the plans and supporting information that have been approved by the Local Planning Authority (LPA). If you wish to make minor changes, you should discuss this with a planning officer in the first instance who will explain to you your options and whether what you are proposing is likely to be acceptable. The Government has introduced legislation to allow people to make applications to obtain permission to carry out minor changes to planning permissions. We can advise you how to obtain forms and what information is needed if you decide to proceed on this basis.