Miss Poole
c/o Willow Veterinary Clinic
385 Leek Road
Endon
Staffordshire
ST9 9BA

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

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Miss Poole
c/o Willow Vetinary Clinic
385 Leek Road
Endon
Staffordshire
ST9 9BA

Application no: SMD/2016/0333

Determined on: 22/07/2016

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

FULL PERMISSION FOR DEVELOPMENT

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:
50 Washerwall Lane Werrington Staffordshire ST9 0JU

Description of Development:
Removal of Condition 3 (Noise) attached to planning permission SMD/2016/0152

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

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2.The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-
PL01A;
PL02A;
PL03B;
PL04;
PL05A.

Reason:- To ensure that the development is carried out in accordance with the approved

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plans, for clarity and the avoidance of doubt.

3.The occupation of the first floor flat above the veterinary clinic hereby permitted shall be limited to persons solely or mainly employed at the veterinary clinic (including the dependents of such persons residing with them) or by the applicant or member/s of the applicant's family and the first floor flat shall not be sold off, sub-let or used as a separate unit of accommodation.

Reason:- In granting permission, the Local Planning Authority has had regard to the potential for noise and disturbance from the ground floor use for the occupiers of the residential accommodation above and therefore wishes to restrict the occupancy of the flat accordingly.

4. No animals shall remain on the premises outside of the approved opening hours.

Reason:- In accordance with the applicants intentions and in the interests of neighbour amenity.

5.The premises shall only be open between 08:30 hours and 18:30 hours Monday to Friday and between the hours of 09:00 hours and 12 noon on Saturdays and no opening on Sundays and Bank Holidays.

Reason:- To protect the local amenities from noise and in accordance with the applicants intendedopening hours.

6. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.
- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason:- To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

7.Before the proposed development is brought into use, the parking area shall be surfaced in a bound and porous material and drained to SUDS principles. Details of the bound/porous materials to be used shall firstly be submitted to and approved in writing by the Local Planning Authority, the development shall then be carried out in full accordance with the approved details.

Reason:- In the interests of highway safety including prevention of the discharge of surface water onto the highway.

8. The development hereby permitted shall not be brought into use until a surface water

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drainage interceptor, drained to SUDS principles, has been provided across the access immediately to the rear of the highway boundary unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interestsof highway safety including preventing the discharge of surface water onto the highway.

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 full accordance with the approved 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 reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Informatives

1.The application has been assessed against adopted Development Plan policies and any other material considerations. As the application is acceptable there was no need for any negotiations as advocated within the National Planning Policy Framework paragraphs 186-187.

2. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

""Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

""During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

""The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

""Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

3. Severn Trent Water advise that there may be a public sewer located within the application site and encourage the applicant/developer to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicnt/developer is advised to contact Severn Trent Water to discuss the proposals and they will seek to assist with obtaining a solution which protects both

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the public sewer and the building.

4. Please note, when submitting a Building Regulations application, the Building Control officer is required to check the sewer maps supplied by Severn Trent Water and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn trent Water can direct the Building control officer to refuse Building Regulations approval.

Signed 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.

2. 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.

3. 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. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** 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.

4. 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.

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5. 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.

6. 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.

7. 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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. 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.

8. 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.