Ms E Coop
c/o Ken Wainman 31A St Edward Street
Leek
Staffordshire
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STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

Mr K Wainman
Ken Wainman Associates Ltd
31a St Edward Street
Leek
Staffordshire
ST13 5DN

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c/o Ken Wainman

Application no: SMD/2016/0201

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:
Land North East Of 117 BALL LANE BROWN EDGE STAFFORDSHIRE

Description of Development:
Proposed construction of an access track, concrete hardstanding and an all-weather outdoor riding area; the change of the use of the land to equestrian use; and retrospective permission for a field shelter

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 Section 91(1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be commenced unless and until Stoke City Council has granted consent for the access track to the site and such planning permission is live at the time of commencement of the works for the riding arena / concrete pad.
Reason:- In the interests of highway safety.

3.The development hereby approved shall be carried out in accordance with the following submitted plans ref. 3580-01A; 3580-02A; 3580-03 and subject to the following conditions and/or modifications as listed below.
Reason:- To ensure that the development is carried out in accordance with the approved

plans, for clarity and the avoidance of doubt.

4. The application site, including manege, concrete pad and field shelter hereby permitted shall be used for domestic purposes of the land owner or any single tenant of the land. It shall not be used in whole or part for any commercial livery, equestrian or other use.
Reason:- Having regard to the location of the site, consequent issues of amenity, and / or possible conflicts relating to the Green Belt and open countryside.

5. The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed riding arena / concrete pad have been submitted to and approved in writing by the Local Planning Authority. 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.

6. The riding arena hereby permitted shall be implemented in accordance with the drainage, boundary fence and surface details as shown detailed on plan ref. 3580-03.
Reason:- Having regard to the location of the site in the Green Belt and open countryside.

7. The land associated with the equestrian use hereby permitted as outlined in red on the location plan ref. 3580-01A submitted shall not be used for the storage or siting of horse transport vehicles, horse boxes and shelters, caravans, mobile stables or any other structures, vehicles or chattels.
Reason:- Having regard to the location of the site in the Green Belt and open countryside.

8. No floodlighting, whether free standing or affixed to an existing structure, shall be provided on the site at any time.
Reason:- In the interests of the amenities of the locality and nature conservation.

9. No development shall be commenced until a scheme for the containment and storage of manure and its disposal has been submitted to and approved in writing by the Local Planning Authority. The storage and disposal shall be undertaken wholly in accordance with the approved scheme.
Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected

10. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.
Reason:- In the interests of the visual appearance of the development and the amenities of the area.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner: and any trees or plants which

within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason:- In the interests of the visual appearance of the development and the amenities of the area.

12. The hours of work for 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) and 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:- In the interests of the amenities of the locality.

Informative(s)

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. This consent does not establish the permanent siting of the field shelter in any other than the siting than the position which is shown on plan ref. 3580-01A and 3580-02A.

3. Under the Hedgerows Regulations 1997, it is illegal to remove or destroy most countryside hedgerows without notifying and obtaining permission from the local planning authority (the District Council). Hedges are important for wildlife for a number of reasons: they provide suitable habitat and cover for many plants, birds, insects and small mammals they provide a rich food resource for animals they provide corridors between isolated habitats.

4. The applicant is referred to the 'Reasonable Avoidance Measures recommendations and conditions' as contained within the 'Ecological walkover survey report' Land at Ball Lane, February 2015 prior to any work commencing.

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.

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

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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.