STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mrs Sian fergusson
A and H Structures Ltd
Narlow Works
Ashbourne
Deryshire

Mr Stonier
Bryn Helyg
Kiln Lane
Leek
Staffordshire Moorlands
ST13 8LJ

Application no: SMD/2016/0300

Determined on: 05/10/2016

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

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:
Bryn Helyg Kiln Lane Leek Staffordshire Moorlands ST13 8LJ

Description of Development:
Proposed steel framed agricultural building (resubmission of SMD/2015/0593)

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 conditions:

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 details as submitted in the application form and submitted specifications and as shown in the plans referenced as follows: Location Plan 1101-003 Revision A; Block Plan 1101-002 Revision B and Elevation Details 1101-001 Revision A.
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Notwithstanding the details of roof colouring given in drawing 1101-001A the roof material shall be finished in Juniper Green (12B29) as stated in the submitted Design and Access Statement as shall be the walls above the level of the concrete skirting wall.
Reason: In the interests of the appearance of the building in the landscape.

4. 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 building, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the levels as subsequently approved and there shall be no variation in these levels without the written approval of the Local Planning Authority. The creation of a level base for the building shall be achieved by cutting into the slope of the land at the lowest existing level rather than by the raising of ground levels.
Reason: In order to ensure the satisfactory appearance of the development and its relationship to its surroundings and minimise the apparent height of the building.

5. In addition to the landscaping details submitted with the application a further scheme of planting to include Silver Birch (Betula pendula) and Oak (Quercus petraea / Q.robur) along with hedging shall be planted approximately on the dividing field boundary line which runs between the south west boundary of the site and the north east boundary clipping the north west elevation of the proposed building hereby approved. Details of the number, species and planting positions of the specimens to be planted along with details of the measures to protect them from grazing animals shall first be provided for the written approval of the Local Planning Authority and the planting and protection measures as subsequently approved along with those submitted with application hereby approved shall be implemented before the end of the first planting season November to March following the substantial completion of the development. Any plants which die or are lost in the first five years following the completion of the planting shall be replaced with plants of the form and size as originally planted. The planting shall thereafter be maintained for the lifetime of the development.
Reason: In the interests of the visual appearance of the development and the amenities of the area.

6. The building hereby approved shall not be used for purposes other than for agriculture associated with the land of the application site.
Reason: In order to define the permission and in the interests of safeguarding the amenities of neighbouring properties.

Informative

1. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. Subject to the conditions attached to this permission there are not judged to be any adverse implications for neighbours or wider public amenity and street scene. Following some negotiation and discussion the application was considered acceptable without amendment as would otherwise be advocated within the National Planning Policy Framework paragraphs 186-187.

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Chief Executive

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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Chief Executive

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

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. 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.

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.

8. 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.

9. 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.

10. 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

11. 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.

12. 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.