STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Michael Sutcliffe & Associates
Mr M Sutcliffe
Ivy House
Waterfall Lane
Waterfall
Staffs
ST10 3HT

Messrs Dabell and Ball
Holly Grove Farm
Thorney Edge Road
Bagnall
Staffordshire
ST9 9LA

Application no: SMD/2016/0698

Determined on: 28/12/2016

**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:**
Holly Grove Farm Thorney Edge Road Bagnall Staffordshire ST9 9LA

**Description of Development:**
Change of use from dog boarding kennels to shepherds hut holiday lets, shower block, car park and access

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 maintained in complete accordance with

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the submitted amended plans and specifications as follows:-

Location Plan
RLM823/2 Revision B

Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Before the commencement of works, the kennels buildings shown for removal on drawing RLM823/2 Revision B shall be demolished and the materials removed from the site edged blue in the plan.

Reason:-
In the interests of ensuring appropriate development in the Green Belt and the appearance of the area.

4. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 5m back from the carriageway edge.

Reason:-
In the interests of highway safety.

5. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:-
In the interests of highway safety.

6. Nothing shall be placed, constructed, planted or allowed to remain within 2.4m of the carriageway edge that is greater than 900mm in height above the adjacent carriageway level on the frontage of the development. Anything that is greater than 900mm in height within 2.4m of the adjacent carriageway shall be immediately removed.

Reason:-
In the interests of highway safety.

7. Before the commencement of works, details of the type, colour and texture of the finishing materials for the shepherd huts, amenities building and the surfacing materials for the access

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and parking area shall be submitted to and approved in writing by by the Local Planning Authority and the approved materials shall be used in the development.

Reason:-
To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

8. The development hereby permitted shall not be commenced until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
- Means of enclosure
- Hard surfacing materials

Soft landscape details shall include:
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason:-
To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

9. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.

10. The amenity block shall be used only for the provision of toilet and sanitary facilities and also storage in connection with the use of the site for tourist/visitor accommodation and shall not be used as accommodation for holiday let visitors.

Reason:-
In the interests of ensuring appropriate development in the Green Belt.

11. The number of mobile holiday let shepherd huts shall not exceed five.

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Reason:-
In the interests of the character and appearance of the area.

12. The holiday let shepherd huts hereby approved shall not be occupied by any person(s) for a period of longer than 2 calendar months and no person(s) who has occupied any of the huts shall occupy any of the huts again at any time within six months of the day of the last occupation of the huts.

Reason:-
In order to prevent the use of any of the holiday let huts as a permanent unit of accommodation/dwelling which would be harmful to the character of the rural area.

13. The foul drainage from the proposed development shall be discharged to a septic tank and soak away system which meets the requirements of British Standard BS 6297:1983 and which complies with the following:
a. There is no connection to any watercourse or land drainage system and no part of the soak away system is situated within 10 metres of any ditch or watercourse.
b. Porosity tests are carried out to the satisfaction of the Local Planning Authority to demonstrate their suitable subsoil and adequate land area is available.

Reason:-
To prevent pollution of the water environment.

14. Before the commencement of works, details of the design and siting of the septic tank shall be submitted to and approved in writing by by the Local Planning Authority and the septic tank shall be provided in exact accordance with the approved details before the commencement of the use of the site as holiday let accommodation.

Reason:-
In the interests of the appearance of the area.

15. The development hereby approved shall not commence until drainage plans for the disposal of surface water has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in exact 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.

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16. Prior to it's installation, details of any external artificial lighting to be provided anywhere on the site shall be submitted to and approved in writing by the Local Planning Authority and the lighting shall be provided in exact accordance with the approved details.

Reason:-
In the interests of the character and appearance of the area.

**Informatives**

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. There is vegetation on both sides of the access which is growing within the visibility splay. The condition above requiring visibility splays is intended to have this vegetation cut back to 2.4m behind the edge of carriageway and maintained. There is no requirement to remove any hedges.

3. A demolition or refurbishment asbestos survey and risk assessment should be carried out prior any demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

X B.J. Haywood

Signed by: Haywood, Ben

**On behalf of Staffordshire Moorlands District Council**

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# 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.

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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.