STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
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Staffordshire Moorlands
ST10 4AS

Application no: SMD/2016/0798

Determined on: 27/04/2017

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:
West Lodge Land south of Cheadle Road Oakamoor Staffordshire ST10 3AN

Description of Development:
Proposed agricultural building to house cattle, sheep and agricultural implements with access track from Cheadle Road

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 details as submitted in the application form and submitted specifications and as shown in the amended drawings: 1:500 Rev C; 1:2500 Rev C; 16221(1)-GA Rev B; and 16221(2) cross section Rev B.
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. Prior to the commencement of development and notwithstanding the submitted

details and condition 2 above there shall first be submitted to the Local Planning Authority details including types and colours along with samples if requested of all roofing materials, facing materials and hard surfaces to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as subsequently approved.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area, Conservation Area and setting of a Listed Building.

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

5. Prior to the commencement of development details of all boundary treatments and hard landscaping shall be submitted to the Local Planning Authority for written approval and shall be completed in accordance with the design details as subsequently approved in writing.
Reason: In the interests of the visual appearance of the development and the amenities of the area including the Conservation Area and setting of a Listed Building.

6. Prior to the commencement of development (including any demolition, site clearance, stripping or site establishment) there shall be submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. Such a scheme shall include full details of all new tree and shrub planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting, together with management proposals for existing trees and hedgerows to be retained along with measures for their protection in the course of the development. The landscaping scheme so approved shall be fully implemented before the end of the first available planting season (November to February inclusive) following the first coming into use of the development. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and 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 including the Conservation Area and setting of a Listed Building.

7. 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.

8. Any non-proprietary material intended to be imported and used for the construction of the farm track or yard area shall first have been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the material being imported on to the site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.
Reason: To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

9. The gates at the junction of the track with the Cheadle – Oakamoor Road shall be set back a minimum distance of 5m rear of the carriageway edge and shall open inwards away from the highway.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

10. Manure or effluent generated from the proposed unit shall be managed in accordance with the recognised Best Available Technique (BAT) outlined in the Protecting our Water, Soil and Air, A Code of Good Agricultural Practice for growers and land managers (DEFRA, 2009) to ensure so far as is possible that there is no reasonable cause for annoyance from any odours at any nearby sensitive receptors and pollution of controlled waters is prevented.
Reason: To protect local amenities from odour and prevent pollution of controlled waters.

11. In respect of the agricultural building, track way and yard area hereby approved the land and the buildings shall be used for agriculture and for no other purpose.
Reason: In order to restrict the use of the premises in the interest of the amenities of the area.

Informatives

1. Regarding Condition 3 it is advised that the LPA is looking for the exterior of the roofing panels (aside from the transparent lights) to be finished in a dark recessive colour such as dark slate or ‘raven’.

2. Condition 6 is intended to require new tree and hedge planting such as (1) to the roadside boundary and to the land between the road and the building and (2) off the easterly end of the building to minimise the future intervisibility with the Listed Lightoaks Hall.

3. In relation to Condition 4 – drainage: the aim should be to manage drainage by sustainable means within the site ensuring no increase in flow rates to adjacent properties, preventing foul discharge to watercourses and minimising any increase in flow rates of clean water to adjacent watercourses.

4. The proposed development is judged to be of suitable design and meets the tests of

sustainability in planning. With the amendments and conditions attached there are not judged to be any unduly adverse implications for neighbours or wider public amenity and street scene nor for the Conservation Area and nearby Listed Building. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraphs 186-187.

X B.J. Haywood

Signed by: Ben Haywood

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.
13.