STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Michael Sutcliffe
Michael Sutcliffe & Associates
Ivy House Waterfall Lane
Waterhouses
Staffordshire
ST10 3HY

Mrs Lovatt
Dunwood Hall Leek Road
Longsdon
Staffordshire
ST9 9AR

Application no: SMD/2016/0399

Determined on: 18/05/2017

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:
Dunwood Hall Leek Road Longsdon Staffordshire ST9 9AR

Description of Development:
Removal of Condition 1 (SMD/2014/0073) relating to a temporary period of 18 months

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 'event venue' change of use hereby approved shall only be operational (including preparatory activities associated with such a use) between the hours of 10.00 to 24.00 hours Monday to Sunday.
Reason:- To safeguard the amenity of neighbouring residential occupiers.

2. The number of events to take place at the site shall not exceed 28 in any one calendar year and the number of guests shall not exceed 120 at any one event.
Reason:- For the avoidance of doubt and to define the permission.

3. The machinery, plant or equipment, including air condition and ventilation systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.
Reason:- To safeguard the amenity of local residents and the surrounding area from noise disturbance.

4. Any amplified sound system used in connection with this permission shall be installed with a suitably calibrated noise limiter so as to prevent the transmission of noise and vibration into any neighbouring premises. The approved noise limiter shall be installed as specified prior to the commencement of the event use and shall be maintained in accordance with the manufacturer's instructions.
Reason:- To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

5. No amplified music shall be played outside any building, marquee or other enclosure proposed in connection with this permission.
Reason:- To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

6. The design and construction criteria for development of the relevant buildings/premises shall have regard BS 8233:1999 (British Standard 8233:1999 Sound insulation and noise reduction for buildings - Code of Practice). The design criteria shall achieve sufficient noise reduction to ensure that the noise from the activities generated inside the fabric of the relevant buildings/premises shall not increase the background noise levels by more than 5dB during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.
Reason:- To protect the local amenities from noise.

7. The ventilation and filtration equipment to suppress and disperse fumes and/or smell created from the operations on the premises installed shall be effectively operated and maintained in accordance with the manufacturers' instructions for as long as the proposed use continues.
Reason:- To ensure that unsatisfactory cooking odours outside the premises are minimised in the interest of the amenity of occupiers of nearby properties.

8. The visibility splay of 2.4m x 160.0m to the west of the proposed access shall be kept free of all obstructions to a visibility over a height of 600mm above the adjacent carriageway level for the life of the permission.
Reason:- In the interest of highway safety.

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9. Within 1 month of the date of this permission, details of adequate parking and turning areas (including appropriate signage) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be fully implemented in accordance with the approved details within 2 months of the date of this permission and shall thereafter be retained for the life of the permission for its intended use.
Reason:- In the interest of highway safety.

10. The planting plan shown on "Landscape Proposals Sheet One Key Plan" and "Landscape Proposals Sheet Two Detail Plan" shall be fully implemented before the end of the first available dormant season (November to February inclusive) following the date of this permission. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.
Reason:- In the interests of the visual amenity of the open countryside and Green Belt.

Informative(s)

1. The Council entered into discussions with the applicant to secure an acceptable scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

2. This approval should be read in conjunction with the Planning Obligation entered into under S106 of the Town and Country Planning Act 1990 (as amended) which accompanies it.

X B.J. Haywood

Signed by: Ben Haywood
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.
13.