STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Glyn Doughty
Glyn Doughty Design
25 Vicarage Hill
Westerham
TN16 1TL

Mr Delaney
23 Brigden Avenue
Derby
DE24 8LH

Application no: SMD/2017/0550

Determined on: 03/11/2017

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:
Land East Of Woodleigh ASHBOURNE ROAD BOTTOMHOUSE LEEK STAFFORDSHIRE

Description of Development:
Erection of stable building and extension to access track with new landscaping.

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 complete accordance with the submitted amended plans and specifications as follows:-

Location Plan
Amended drawing DM1607-01 Revision B dated 26th October 2017

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

3. The stables building hereby approved shall be constructed using dark stained timber walls and a dark brown colour for the roof materials.
Reason:-
In the interests of the character and appearance of the area.

4. The horse manege hereby approved shall be used solely in connection with the personal and private use of the owner of the application site and shall not be used for commercial purposes or for the staging of gymkhanas or events, either equestrian or for other events.
Reason:-
In the interests of the character and amenities of the area.

5. The number of horses occupying the stables shall not exceed three at any one time.
Reason:-
To prevent the intensification of development or use of the site n the interests of the character and appearance of the area.

6. The proposed hedgerows shall be planted along the whole length of the south and north-east boundaries of the site in accordance with a revised landscaping scheme which shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. Such a scheme shall in particular make provision for the planting of new, and infilling where necessary, of existing mixed native species hedgerows to those boundaries. The scheme shall include full details of plant species, positions, planting sizes and numbers/densities of all new planting. The approved landscaping scheme shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. 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 rural character and appearance of the area and the surrounding landscape.

7. Notwithstanding the details shown on the approved plans before the commencement of works, details of the type, colour and texture of hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority and the approved surfacing shall be provided before the development is brought into use.
Reason:-
In the interests of the rural character and appearance of the area.

8. Before the development is brought into use, the access shall be surfaced in a bound and porous material for a minimum distance of 5m rear of the highway boundary in accordance with details to be first submitted to and approved in writing by the local planning authority

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prior to commencemnt of development. The access shall thereafter be retained as such for the life of the development.
Reason:-
To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

9. Before the development hereby permitted is brought into use, visibility splays of 2.4m x 215m shall be provided at the access. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
Reason:-
To comply with NPPF paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

10. There shall be no storage of horse boxes trailers or other vehicles at the site.
Reason:-
In the interests of protecting landscape character and visual amenity.

11. There shall be no outside storage of feed stuffs or other supplies and paraphernalia.
Reason:-
In the interests of protecting landscape character and visual amenity.

12. No further lighting shall be introduced to the site and any lighting shall be used only when people are present at the site.
Reason:-
In the interests of protecting landscape character and visual amenity.

Informatives

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

2. With regard to the landscaping scheme, it is advised to replace the Beech and Hornbeam elements of the proposed species mix with Hazel, Field Maple and Holly. It would also be useful to include a few feathered trees within the hedgerows at irregular spacings in addition to those already suggested for the (amended) hedge mix, a few of which would be appropriate to allow to grow on as trees rather than be maintained at hedge height. Further appropriate species in this location for trees would include Common Alder, Sessile Oak and Downy Birch.

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.
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