

Mr Rob Duncan
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Lichfield
Staffordshire
WS13 7DL

Dr Pearson
Spring Cottage Farm Thorneyedge
Road
Bagnall
ST9 9LE

Application no: SMD/2018/0061

Determined on: 20TH March 2018

**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:

Springs Cottage Farm Thornyedge Road Bagnall Staffordshire ST9 9LE

Description of Development:

Erection of Stable Block and Manege

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 begin not later than three years from the date of this decision.

Reason:- 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 permitted shall be carried out in accordance with the following approved plan:

00406-PL (0) 22I

Reason:- For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority;

- facing materials for the stables
- hardsurfacing of the yard area and path around the manege
- fencing of the manege

Development shall thereafter be carried out in accordance with the approved details.

Reason:- To ensure a satisfactory external appearance

4. The stable block and manege hereby permitted shall be for private use of the applicant and his family only and shall not be used for any business, commercial livery, riding school activities or made available for use by visiting members of the public.

Reason:- To define the permission in the interests of the character and appearance of the area, protection of the Green Belt, residential amenity and highway safety

5. Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority before the stable building or manege is first used, whichever is the sooner. Development shall thereafter be carried out in accordance with the approved details.

Reason:- To protect the character and appearance of the area and openness of the Green Belt

6. A scheme for the disposal of manure shall be submitted to and approved in writing by the Local Planning Authority before the stable building or manege is first used, whichever is the sooner. Development shall thereafter be carried out in accordance with the approved details.

Reason:- In the interests of residential amenity

7. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

8. The development hereby permitted shall not be brought into use until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority - access construction; piping of drainage ditch including concrete bed and surround; relocation of drainage grips crossing the banked verge likely to be removed by construction of the northernmost access. The highway works shall thereafter be constructed in accordance with the approved details prior to the

development being first brought into use.

Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety and to ensure the access within the highway is constructed to adequate standards and to maintain existing drainage.

9.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 and porous material for a minimum distance of 10m back from the carriageway edge in accordance with details to be first submitted to and approved in writing by the Local planning Authority

Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

10. The parking and turning area shall be provided in accordance with the approved plans before first use of the manege or stables whichever is the sooner and retained unobstructed for the life of the development.

Reason:- To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

11. Any gates shall be setback a minimum 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 and T1; in the interests of highway safety.

12.No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to physically accommodate the approved development, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.

Reason:- To protect existing trees and hedgerows in the interests of the character and appearance of the area

13.Before the commencement of development (including any site clearance, site stripping, site establishment or creation of new access) temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in the Tree Heritage Arboricultural Report reference THL-R18/2 dated 17th January 2018 and submitted with the planning application hereby approved, and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. Within the fenced areas there shall be no excavation,

changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the Local Planning Authority.

Reason:- To protect existing trees and hedgerows in the interests of the character and appearance of the area

14. Before the commencement of development (including any site clearance, site stripping, site establishment or creation of new access) a landscaping scheme shall be submitted to and approved by the LPA. Such a scheme shall in particular provide for native hedgerow infill planting to any gaps in the existing hedgeline along the Thorneyedge Road frontage including the existing field access which is to be closed off in accordance with Condition 15 together with new native hedgerow and standard trees along the southern side of the riding arena hereby approved. The submitted landscaping scheme shall include full details of all new trees, shrubs and other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved 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:- To secure an appropriate landscaping scheme in the interests of the character and appearance of the area

15. Notwithstanding the approved plans, the existing gated access to the site from Thorneyedge Road shall be permanently closed off before any part of the development hereby approved first comes into use in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason:- To prevent the perpetuation of access points into the site from Thorneyedge Road in the interests of the character and appearance of the area.

16. Prior to the commencement of development full details of the proposed means of disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed strictly in accordance with the approved details

Reason:- To secure an appropriate drainage scheme and prevent flooding

Informative

1. This is a sustainable form of development which complies with the provisions of the National Planning Policy Framework

2.The construction of the access, piping of the ditch and provision of drainage grips shall require a Minor Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a link to a Minor Works Information Pack and an application form for the Minor Works Agreement. Please complete and send to the address indicated on the application fom which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (or email to nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

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Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council

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 BControl@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.
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