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

Mr Edgar
Gorsty Hill Cottage,
Gorsty Hill
Tean
Stoke-on-Trent
Staffordshire
ST10 4EL

Application no: SMD/2018/0224

Determined on: 10/07/2018

**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:**
Gorsty Hill Cottage Tenford Lane Tean Staffordshire ST10 4EL

**Description of Development:**
Change of use from a steel portal framed building to a proposed Cattery.

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 plans and specifications as follows:-

Location Plan

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Proposed Building Views
Site Plan 1
Site Plan 2
Site Plan Drainage

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

3. The proposed materials for the walls shall comprise a mix of brick to match the rear extension to the dwelling, green metal panels to match the existing roof of the building and grey metal mesh materials.
Reason:-
In the interests of the character and appearance of the area.

4. Before the building is brought into use, a dark-stained close-boarded timber fence of at least 1.8 metres in height shall be provided as shown in drawing Site Plan 2.
Reason:-
In the interests of the character and appearance of the area.

5. Prior to the commecement of development a soft landscaping scheme, including a hedge to be planted alongside the fence the subject of condition 4 shall be submitted to and approved in writing by the Local Planning Authority, together with an implementation time-table. Therafter the approved scheme shall be implmented in exact accordance with the agreed details.
Reason:-
In the interests of the character and appearance of the area.

6. All non-residential buildings within the site directly to the south of the proposed cattery building shall be demolished in their entirety and the demolition materials removed from the site before the approved cattery is brought into use unless otherwise agreed in writing by the Local Planning Authority.
Reason:-
In the interests of the character and appearance of the area.

7. The existing parking area to the west of the dwelling on site shall be maintained at all times for the parking of vehicles connected to both the proposed cattery business and the use of the dwelling and shall not be used for any outdoor storage purposes.
Reason:-
In the interests of highway safety.

8. Unless prior permission has been obtained in writing from the Local Planning Authority, 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.

9. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing and implemented in exact acordance with the agreed details. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the lights are in operation.
Reason:-
To protect the visual amenities of the locality and biodiversity interests.

10. No development approved by this permission shall be commenced until a scheme for the provision of foul and surface/storm water drainage works has been approved in writing by the Local planning Authority. Thereafter the development shall proceed strictly in accordnace with the approved details.
Reason:-
To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to prevent pollution of the water environment.

11. Prior to the commecement of development, a survey shall be carried out for breeding birds by an appropriately experienced ecologist. Survey details shall be submitted in writing to the local planning authority (LPA). If barn owls or evidence of breeding barn owls are located a method statement to avoid impacts must be submitted to the Local Planning Authority and compensation by creation of a barn owl nesting site within the development curtilage shall be provided in accordance with the agreed details before the proposed development is brought into use. Demolition and site clearance must not be carried out between 1st March to 31st August inclusive unless a check for breeding birds has been carried out by an ecologist. In the event that breeding birds are present no work should be carried out until the birds have finished breeding, and all dependent young have left the site.
Reason:-
All breeding birds, nests, eggs and young are protected from harm under the Wildlife and Countryside Act 1981 as amended. Barn owl is a priority species for conservation action under the UK and Staffordshire Biodiversity Action Plan.

**Informatives**

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

2. Any lighting onsite, should use low energy LED lighting to minimize light spill around buildings. Alternatively, low-pressure sodium lamps (SOX) are recommended, which should be fitted with hoods to direct the light below the horizontal plane to minimize light-spill. The

use of artificial lighting must follow the protocols outlined in the Institute for Lighting Engineers document ""Guidance for the Reduction of Obtrusive Lighting"" (2005) and Bat Conservation Trust's ""Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting"" (2014) to minimise disturbance and sky-glow across the site. New artificial bat roosts and bird nesting sites should not be illuminated. A lighting design plan must be submitted to the LPA for approval and shall be implemented in accordance with the approved details.

3. With regard to Biodiversity enhancements:

A 1SP Schwegler Sparrow Terrace could be installed on the rear side or north side of the building. The nesting site should be placed at least two metres or more above the ground. The installed nesting box should not be illuminated. The nest box once installed should be maintained by cleaning out between 1st September and 1st January, with a check made to ensure that it is no longer in use by nesting birds before maintenance. Bird nesting features once installed should be maintained in that manner thereafter.

A landscaping scheme to benefit invertebrate pollinators, bats and breeding birds should be provided. Nectar and berry rich native shrubs providing a variety of habitats for invertebrates should be selected that will benefit foraging birds and bats. Species should be selected that provide structural diversity for wildlife. This may include appropriate climbing species such as cotoneaster, ivy, climbing roses and honeysuckles to create green walls that will further enhance the site for wildlife. Species selected must be appropriate to the shade or moisture conditions on site. Details should be provided to the LPA for approval.

As part of the landscaping schene a mixed hedgerow should be planted around the periphery of the application area where lacking. 10% Hazel -Corylus avellana, 70% Hawthorn-Crataegus monogyna, 5% Holly -Ilex aquifolium 10% -Blackthorn Prunus spinosa, 5% Dog Rose -Rosa canina. Hedge plants should be 40-60cm transplants of locally common native species and of British provenance (preferably local) and should comply to British Standard 3936. Hedgerows should be planted with 6 plants per metre in two staggered rows, about 25cm apart with plants at approximately 45cm in each row. Hedgerow plants should be protected with a hedge guard and secured by a cane or stake. Full details including methods of soil preparation, establishment, remedial replacements, weed control, protection from grazing and disturbance, plus long-term aftercare should be provided in writing to the Local Planning Authority for approval. The hedgerow shall be established in accordance with the approved details and all features shall be retained in that manor thereafter.

4. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer:

a) The site is situated within a nitrate vulnerable zone and therefore manure disposal must therefore comply with the Nitrate Pollution Prevention Regulations 2008

b) Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download
http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance

.pdf

https://www.theilp.org.uk/documents/obtrusive-light/

During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils
http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

X

Signed by: Jane Colley

**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 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.

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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.