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

Mr Adam Gregory
Forefront Development Consulting
4 House Drive
Stoke-on-Trent
Staffordshire
ST1 5SJ

Mr Thursfield
Jack Haye Farm Jack Haye Lane
Stoke-on-Trent
Staffordshire
ST2 7NG

Application no: SMD/2017/0806

Determined on: 20/09/2018

**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:**
Jack Haye Farm Jack Haye Lane Armshead Staffordshire ST2 7NG

**Description of Development:**
Application for Planning Permission to create a Menage to exercise horses

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:-

18-GT-01
18-GT-02
18-GT-03 Revision A dated 17.09.18

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

3. The development hereby approved shall be used solely for the private use of the occupants of Jack Hayes Farm, Armshead for exercising horses and shall not be used for commercial equestrian uses or for events or gymkhana's.
Reason:-
In the interests of the character and amenities of the rural area and in the interests of highway safety.

4. The surface materials shall comprise either sand or black or brown rubber chippings unless otherwise approved in writing by the Local Planning Authority.
Reason:-
In the interests of the appearance of the area.

5. The horse exercise arena shall not exceed a footprint of 40.0 x 20.0 metres.
Reason:-
In the interests of the appearance of the area.

6. The fencing for the development hereby approved shall comprise dark-stained timber post-and-rail fencing with a height not exceeding 1.5 metres.
Reason:-
In the interests of the appearance of the area.

7. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved in writing by the Local Planning Authority. 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 Local Planning Authority 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:-
In the interests of the appearance of the area and its ecological value.

8. Before the commencement of development (including any site clearance, site stripping or site establishment) a landscaping scheme shall be submitted to and approved by the Local Planning Authority, providing in particular for retention of existing Hornbeam hedging and planting of a new mixed native field hedgerow along the north-west side of the development, together with opportunities for individual native tree planting. Such a scheme shall indicate existing hedges to be retained, and include full details of all new trees, shrubs and hedge 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:-
In the interests of the appearance of the area

9. Before the development is brought into use, five nest boxes for breeding birds shall be installed on trees and farm buildings within the site edged blue on the approved plans in accordance with details to be submitted to and approved by the Local Planning Authority.
Reason:-
To compensate for the loss of scrub nesting habitats lost by nesting boxes in the interests of the ecological value of the site.

10. 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.

11. No artificial light shall be installed at the site unless a scheme showing the location, height and luminance levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed in accordnace with the approved details.
Reason: To protect the amenity of neighbours

**Informatives**

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

2. Nest boxes should be suitable for house sparrow, a red listed species of conservation concern and Staffordshire Biodiversity Action Plan priority species.

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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.