STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Robert Watkins
Graham Watkins & Co
69 Derby Street
Leek
Staffordshire
ST13 6JL

Mr Heath
Red Earth Farm
Leek
Staffordshire
ST13 8PT

Application no: SMD/2019/0192

Determined on: 21.08.2019

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 at High Up Lane, Poolend, Leek, Staffordshire

Description of Development:
Agricultural building for a TB isolation unit for housing cattle that are under movement restrictions.

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development permitted and described above shall only be carried out in complete accordance with the drawn and written details that are shown on the 1:500 location plan and the 1:100 Elevation Drawings that were submitted with the application, specifically the walling above the concrete sections at the base shall be hot and miss style timber yorkshire boarding and the roof shall be a dark grey coloured fibre cement material.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. The access track to the development shall be provided only as a single width carriageway with a compacted lime stone surface along the entirety of its length. At all times when the development is in use, the existing hedgerow and verge shall be maintained in such a way that a visibility splay of 2.4mx215m in each direction, is provided over a height of 600 mm above the adjacent carriageway level.

Reason:- In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

4. When the use of the building and development for the purposes of agriculture permanently ceases then, unless the Local Planning Authority have otherwise agreed in writing, the builidng and the development shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before the development took place.

Reason:- As a temporary permission is considered appropriate in this case.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 3 Class(es) Q, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:- To avoid permanent visual intrusion, traffic generation and additional impedimenta that would be detrimental to the amenities of neighbouring residents.

6. Within 2 calendar months after the commencement of the development hereby approved, a comprehensive landscaping scheme shall be submitted to and approved by the Local Planning Authority. Such a scheme shall in particular provide for the infilling of existing field hedgerows (where gappy) to the north-east, north-west and south-west boundaries and planting of a new field hedgerow to the south-east boundary of the field in which the development is located, using suitable mixed native species mix incorporating standard hedgerow trees, together with planting of a mixed native tree and shrub belt of minimum width 5m along the inside of the existing roadside hedgerow to the north-west boundary, or such other measures as may be agreed by the local planning authority. The landscaping scheme so submitted shall include full details of all new trees and shrubs, 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 reducing visual impact and enhancing biodiversity.

7. Within 2 calendar months after the commencement of the development hereby approved, a scheme for habitat and biodiversity enhancement and maintainence shall be submitted to

and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and maintainence. Thereafter the approved scheme shall implemented in accordance with approved timetable and shall thereafter be maintained in accordance with the approved scheme.

Reason:- In the interests of reducing visual impact and enhancing biodiversity.

Informative

The application is for a sustainable form of development which complies with the development plan and the provisions of the National Planning Policy Framework it was therefore unnecessary to seek amendments or revisions to the scheme.

X

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council

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

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.