STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Brian Ellershaw
Kennelbuild Limited
Wheelock Heath Business Court
Alsager Road
Sandbach
CW11 4RQ

Mr Lee Brunton
Salthouse Farm
Salters Lane
Hulme
Werrington
ST9 0DA

Application no: SMD/2016/0278

Determined on: 12/01/2017

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:
Salthouse Farm, Salters Lane, Hulme, Werrington, Staffordshire Moorlands ST9 0DA

Description of Development:
Proposed change of use of existing vacant buildings to boarding kennel and cattery (sui generis)

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 accordance with the details as submitted in the application form and submitted specifications as amended and as shown in drawings: BRUNL001-P-LSPELE-001 (Revision 3) and BRUNL001-P-LSPELE-002 (Revision 1).
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Prior to the commencement of development drainage plans for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning

Authority. The foul and surface water drainage for the development shall be implemented in accordance with the approved details before the development is first brought into use.
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

4. Prior to the commencement of development a detailed scheme for the layout of the access road with specifications for landscaping including boundaries, surfacing, parking and turning areas shall be submitted to and approved in writing by the Local Planning Authority and shall be completed in accordance with the design details as subsequently approved in writing prior to the development first coming into use.
Reason: In the interests of the appearance of the development and its setting.

5. Prior to the commencement of development, including any demolition, site establishment and clearance, full details of the proposed landscaping shall be submitted to and approved by the Local Planning Authority. Such details shall include the positions, species, planting sizes and numbers/densities of all new tress, shrubs and hedgerows.
Reason: In order to secure an appropriate landscape design and to protect the visual amenity of the Green Belt.

6. The planting scheme approved under condition number 5 above shall be implemented before the end of the first planting season (November to February inclusive) following completion of the development hereby approved. New plants shall be properly maintained for a minimum period of 5 years following planting and any which are removed, become diseased, die or otherwise fail to establish within this period shall be replaced with similar species and the replacements themselves shall be properly maintained for 5 years.
Reason: In order to secure successful establishment of appropriate landscaping and to protect the visual amenity of the Green Belt.

7. During construction 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.

8. Before the proposed development is brought into use the existing northern access shall be re-constructed and completed and surfaced in a bound and porous material for a minimum distance of 5m rear of the carriageway edge.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

9. Before the proposed development is brought into use visibility splays of 2.4m X 120m shall be provided each side of the access. The visibility splays shall thereafter be kept free of all obstruction over a height of 600mm 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. Before the proposed development is brought into use the access, parking, servicing and turning areas shall have been provided in accordance with the approved plans. These areas thereafter shall be maintained free from obstruction for their designated use of parking and manoeuvring of vehicles.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

11. Before the proposed development is brought into use the building adaptations shall have been completed in accordance with the approved plans including sound and noise insulation.
Reason: In the interests of the appearance of the development and the amenity of the neighbourhood.

Informatives

1. The development hereby approved is subject to licensing regulation with Staffordshire Moorlands District Council Environmental Health and it will be expected that the premises will be compliant with the new CIEH Model Conditions see annex E - dogs and annex F-cats.

2. Severn Trent Water advise that there may be a public sewer located within the application site and encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

3. Please note that prior to the works for reconstruction of the access taking place you require a Permit to Dig. Please contact 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)

4. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

5. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for

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neighbours or wider public amenity and street scene. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraphs 186-187.

X B.J. Haywood

Signed by: Haywood, Ben

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.

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.