STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr David Fitzsimon
Fitzsimon P & D Ltd
Ty'n Coed Pantymwyn Road
CH7 5NL

Mr Millar
Oak Tree Farm Tickhill Lane
Dilhorne
ST10 2PL

Application no: SMD/2020/0298

Determined on: 10/02/2020

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:
Oak Tree Farm, Tickhill Lane, Dilhorne, Staffordshire, ST10 2PL

Description of Development:
Proposed extension of the permitted use of the building as an office and education centre to include business conferencing and social functions

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 permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plan 1705.05 Rev1. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the lifetime of the development.

Reason:- To ensure the development has an acceptable level of parking so as not to pose a danger to highway safety and to comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2019).

3. No amplified music shall be played outside the building in connection with this permission.

No fireworks shall be operated in connection with this permission.

Reason: To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution and to comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

4. A maximum of 15 night time social events after 7pm in the evening shall take place each calendar year. Music shall cease at Midnight, with events finishing at 1am.

Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance and to comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

5. No music and/or any amplified sound shall be audible inside any nearest residential property in the vicinity of the premises to which this application refers.

Reason: To ensure that the reasonable residential amenities of neighbouring properties are adequately protected from noise pollution and to comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

6. Prior to the building being used for the purposes of business conferencing or social event, the mitigation measures set out in Section 5 of the Noise Impact Assessment Report shall be completed in full, unless other first agreed in writing with the Local Planning Authority. Pre-completion testing to show compliance with the mitigation scheme should be undertaken prior to first use and NSR3 compliance levels shall be submitted to the Local Planning Authority for written approval.

Reason: To ensure that the reasonable residential amenities of neighbouring properties are adequately protected from noise pollution and to comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

7. The building to which this permission relates shall be used solely as a classroom, office, business conferencing, social functions, and ancillary facilities in connection with the use of the site as an education centre providing educational and vocational experiences to primary school children teaching them about environmental issues and ecology using the existing livestock and for no other purpose, including any

purpose falling within Classes E and F of the Town and Country Planning Use Classes Order 1987 (as amended) unless a further planning permission has first been granted on appliation to the local planning authority

Reason:- For the avoidance of doubt and to protect the amenities of the area and to comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

8. The development hereby permitted shall be carried out in accordance with the following approved plans:
- 1705.05 Rev 1
- 2805.20
- Location Plan
- 1705.08
- 1705.07

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework (2019).

Informative

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF (2019).

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

• Guidance for control of dust and emissions for construction can be found: in

• 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)

• 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

• Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

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

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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

10. 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.

11. 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.