

Miss Nelson
42 Fair View Road
Leek
Staffs
ST13 5BY

Application no: SMD/2021/0461

Determined on: 17/12/2021

**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:

Six Oaks Farm Apesford Lane Bradnop Staffordshire ST13 7EU

Description of Development:

Amendment to Planning permission for Forest School Nursery on land at Coombes Valley RSPB Reserve.

Replacement of Bell Tent with wooden structure, retrospective planning permission for the replacement of a canvas canopy with a wooden structure and an increase in the capacity of the number of children utilising the nursery use of the site by an additional 15no. to a maximum of 30 children for 1 day per week.

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 hereby permitted shall be carried out and maintained in accordance

with the following approved plans:

Location Plan
Site Plan
Kitchen Shelter
Picnic Bench Shelter
Picnic Bench Shelter Elevations

Reason:-

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

3. The Picnic Bench Shelter elevations shall have a dark stained timber finish and a felt roofing material.

Reason:-

In the interests of the character and appearance of the area.

4. All construction works and deliveries, in respect of the development hereby approved 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.

Reason:-

To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

5. The application site shall be occupied by:

- No more than 30 children and 5 members of staff at any one time on one day per week between the hours of 0900 to 1500.
- No more than 15 children and 4 members of staff at any one time on any other day of the week between the hours of 0830 to 1730.

There shall be no use of the site on Saturday and Sunday.

Reason:-

In the interests of the character and amenities of the area and highway safety/traffic.

6. Within three months of the date of this decision details for a bin store to include location, size and materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be implemented within three months of the date of the approval.

Reason:-

In the interests of the appearance of the area.

7. Within two months of the date of this approval, details for additional screen planting along the boundaries of the site, to include species, planting densities and sizes, shall be

submitted to and approved in writing by the Local Planning Authority. The approved planting scheme shall be implemented within the next planting season following the date of approval. The implemented planting scheme shall then be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-

In the interests of the appearance of the area.

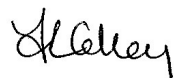
8. Within two months of the date of this permission, the day of the week in which 30 children shall be occupying the site, the subject of condition 5, shall be submitted in writing to the Local Planning Authority. If any changes to this day at any stage for the lifetime of the development are required, the applicant shall notify the Local Planning Authority in writing.

Reason:-

For the avoidance of doubt and in the interests of proper planning and in the interests of the amenities of the area and highway safety/traffic.

Informative

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF
2. The applicant is reminded that the above conditions do not replace those attached to the planning permission SMD/2020/0149 and that these conditions will remain in force and still apply to the outdoor nursery development on site.

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

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.

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