

Mr Stephen Cooper  
The Winter Partnership  
7 Alma Field  
Castle cary  
BA7 7JD

Winkhill Garage  
Ashbourne Road  
Winkhill  
ST13 7PP

Application no: SMD/2019/0339

Determined on: 30<sup>th</sup> October 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:**

Winkhill Garage Ashbourne Road Winkhill Staffordshire ST13 7PP

**Description of Development:**

Application for temporary Parking on the site for a period of 5 years.

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 carried out and thereafter maintained in accordance with the following approved plans, unless otherwise modified by conditions attached to this permission or details approved pursuant thereto:
  - Site Location Plan TWP19-WG-001 Rev A
  - Proposed Landscaping TWP19-WG-005 Rev A
  - Proposed Site Plan TWP19-WG-003
  - Site Drainage TWP19-WG-004Reason: For the avoidance of doubt.
2. Notwithstanding the description of development, this permission shall expire 3 years from the date of this decision notice after which the use hereby permitted shall cease unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason: To allow the condition of the site to be monitored and to ensure the comprehensive redevelopment of the site in the future in the interests of visual amenity.

3. Only HGV trailers shall be parked on the site. There shall be no parking of HGV lorries or tractor units on the site at any time.

Reason: In the interests of residential amenity and highway safety.

4. The premises shall only operate between the hours of 08:00 and 18:00 Mondays to Fridays and 08:00 and 13:00 hours on Saturday, and at no time on Sundays and Bank/Public Holidays. Outside of these hours no vehicles may arrive, depart, be loaded or unloaded within the application site.

Reason: In the interests of residential amenity

5. No vehicle repairs, paint spraying or maintenance (including washing out of tanks) shall be carried out on the site.

Reason: In the interests of residential amenity

6. Within 3 months of the date of this permission, a scheme to minimise dust emissions arising from activities on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved scheme shall be implemented within 3 months of the date of approval and shall thereafter be retained.

Reason: In the interests of residential amenity

7. All demolition/construction vehicles shall have their wheels cleaned before leaving the site.

Reason: In the interests of residential amenity and highway safety

8. The scheme of drainage already implemented on site shall be properly maintained. If there are any issues with regards the drainage surcharging and causing an increase of flood risk then mitigation measures shall be implemented to rectify these issues.

Reason: To protect against the risk of flooding

9. Within 3 months of the date of this consent drainage plans for the disposal of foul and surface water flows shall be submitted to and approved by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details within 3 months of the date of approval.

Reason: To protect against the risk of flooding

10. Within 3 months of the date of this, consent full details of new access including visibility splays and making good of any redundant access, shall be submitted to

and approved in writing by the Local Planning Authority. The new access shall thereafter be provided in accordance with the approved details within 3 months of the date of approval

Reason: In the interests of highway safety

11. Within 3 months of the date of this consent full details of an apron formed from bound material shall be submitted to and approved in writing by the Local Planning Authority. The new apron shall thereafter be provided in accordance with the approved details within 3 months of the date of approval.

Reason: In the interests of highway safety

12. Within 3 months of the date of this permission a comprehensive landscaping and boundary treatment scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be based on the principles of the planting scheme approved under Condition 17 of planning permission SMD/2008/1077, and shall in particular make provision for substantial areas of thicket-type planting of closely spaced trees and understorey shrubs to the Ashbourne Road frontage either side of the site access, together with continuous planting belts along the north-western side of the site and strategic planting areas adjacent to Public Footpath 31 (Waterhouses Parish). The submitted landscaping scheme shall include full details of all proposed new trees, shrubs and any other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting, together with a specification for ground preparation for planting areas. The landscaping scheme once approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following commencement 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 visual amenity and biodiversity

13. Notwithstanding any annotation or indication on Winter Partnership Drg. No. TWP19-WG-005 the site shall be managed in complete accordance with the Habitat Management Plan approved pursuant to condition 18 of planning permission SMD/2008/1077.

Reason: In the interests of visual amenity and biodiversity

14. Notwithstanding any annotation or indication on Winter Partnership Drg. No. TWP19-WG-005, in the first planting season following the date of this permission the additional areas of heathland to be created within the site and on the surrounding land (as shown on plan ref TWP-WG08-011 Rev.A approved under permission SMD/2008/1077) shall be provided in accordance with the details

approved in writing by the Local Planning Authority under condition 19 of that consent.

Reason: In the interests of visual amenity and biodiversity

15. There shall be no more than 78 tankers parked on the application site at any one time.

Reason: In the interests of residential and visual amenity and highway safety.

**Informative(s)**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

2. The applicant is advised that the Planning Applications Committee has resolved that if no action is taken on all conditions within 3 months of that date of this consent that formal enforcement action is to be taken.



**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](mailto: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](http://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.