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Mr & Mrs McConnell
C/o Agent

Application no: SMD/2021/0756

Determined on: 18th February 2022

**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 West of Post Lane Stanley Bank Stanley Staffordshire

Description of Development:

Erection of stable block and formation of manege, change of use of the land for equestrian purposes.

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 be carried out in accordance with the following approved plans:
 - Plans & Elevations
 - Revised Block Plan received 13/01/2022
 - Site Location Plan

Reason:- For the avoidance of doubt and in the interests of proper planning, in

accordance with the National Planning Policy Framework.

3. Prior to the erection of the stables hereby approved, details/samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory.

4. The manege hereby approved shall be constructed of those materials as specified in the planning application, unless otherwise first agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is satisfactory.

5. The development hereby approved shall be used for stabling of horses owned by or leased to the owner of the application site (including any purpose incidental thereto) and shall not be used for any commercial purpose(s) whatsoever including livery or riding school. There shall be no events or gymkhanas held on the land.

Reason:- To safeguard the amenities of the area and the openness of the Green Belt to minimise the possibility of inconvenience to nearby residents by the establishment of a commercial concern.

6. Prior to the construction of the stables hereby approved, or the fencing around the manege (whichever is soonest), full details of soft and hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-
 - Planting plans, including the provision of hedging around the southern, western and eastern perimeter of the manege, without encroaching into the visibility splay shown on the Revised Block Plan.
 - Written specifications (including cultivation and other operations associated with plant and grass establishment).
 - Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate.
 - Spoil disposal details, including existing and proposed levels drawings, where necessary.
 - A Biodiversity Impact Assessment (BIA) using Defra metric 3.0 or above, or small sites metric, to evidence that the proposals are sufficient to achieve a net gain in biodiversity.

Reason:- To ensure the appropriate landscape design; in the interests of the visual

amenities of the area; to protect the visual appearance of the Conservation Area; and to secure a net gain in biodiversity.

8. All soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428:1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason:- To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and to achieve a net gain in biodiversity.

9. No lighting shall be erected within or adjacent to the manège hereby approved, unless express permission is given by the Local Planning Authority.

Reason:- To protect the visual amenity of the rural area.

10. Should any lighting be required on the stables hereby approved, details shall be submitted to and approved in writing to the Local Planning Authority. The development shall be undertaken in accordance with the approved details and shall be retained in such a form thereafter.

Reason:- To protect the visual amenity of the rural area.

11. There shall be no storage of horse trailers or other vehicles overnight within the application site red.

Reason: To protect the openness of the Green Belt and to reduce the visual impact of the development.

12. Prior to the use of the manège or stables hereby approved, the shipping container located on the application site shall be removed completely from the land.

Reason:- Planning permission has not been obtained for the shipping container. Its siting on the land detracts from the rural character of the area and the Stanley Conservation Area.

13. The development hereby permitted shall not be brought into use until visibility splay of 2.4m x 120m in a southerly direction in accordance with Revised Block Plan dated 13/01/2022 on website has been provided. The visibility splay shall

thereafter be kept free of all obstructions to visibility over a height of 900mm above the adjacent carriageway level, excluding existing trees.

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

14. The development hereby permitted shall not be brought into use until the access has been surfaced in a bound material for a minimum distance of 5m back from the carriageway edge in accordance with details to be submitted to and approved in writing by the local planning authority. The surfacing shall thereafter be provided in accordance with the approved details and retained for the life of the development.

Reason:- To ensure safe and level access to the site in the interests of highway safety and to safeguard and support the edge of carriageway. To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

15. The gates shall be set back no closer to the carriageway edge than their existing approximate 8m position and shall open inwards away from the highway.

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

16. Prior to any works to construct the manege taking place, details of the existing and proposed site levels, including cross sections and finish floor levels for the manege shall be submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason:- To protect the visual amenity of the rural area.

Informative

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the development was acceptable from a highways perspective. It is therefore considered that the proposals meet the provisions of paragraph 38 of the NPPF.

X 

Signed by: Ben Haywood

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.