

Andrew Meredith
Wharfe Rural Planning
Ullard Hall Farm
Sapling Lane
Knutsford
WA16 9PJ

Mr White
C/O Wharfe Rural Planning

Application no: SMD/2023/0637

Determined on: 24th April 2024

**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 adj Foxearth House Farm, Leek Road, Moorville, Cellarhead, Staffordshire, ST9 0DG

Description of Development:

Retrospective permission to use an existing dog training facility for dog kennels, dog grooming and dog exercise areas

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. Within 6 months from the date of this planning permission the site shall be altered and remediated to accord with the revised site plan numbered 1432/J230131/005.4, submitted on the 24th April 2024. Specifically, by the end of that 6 month period, all parking or stationing of vehicles shall have been restricted to the 8 spaces and the parking and turning area shown on the revised plan that shall have been set out and provided; and all of the compacted stone hardsurface outside of the area marked on the plan as 'parking and turning area', and covering the area marked on the revised plan as 'Grass', shall be taken up and removed from the land with the area seeded or turfed as grass to accord with that revised site plan. The grass shall thereafter be retained and maintained throughout the life of the development. If by the end of the 6 month period this condition has not been complied with the use described above shall cease and discontinue.

Reason:- For the avoidance of doubt and in the interests of proper planning, and to preserve the openness of the Green Belt.

2. Throughout the life of the use hereby permitted and described above, the site layout and the design and appearance of the buildings shall only be carried out, retained and maintained in accordance with the revised site plan numbered 1432/J230131/005.4, submitted on the 24th April 2024; and the proposed plans and elevations numbered 1432/J230131/007.1, submitted with the application.

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

3. The use hereby permitted shall be limited only to dog training, dog kenneling, dog grooming and dog exercise in accordance with, and as laid out in, the approved plans referred to at condition 2 above. The land shall at no time be used for camping, caravanning, special events, competitions, races, display or performance.

Reason:- To protect the residential amenity of nearby neighbour's.

4. There shall at no time be any installation or affixing of a lighting system that would artificially illuminate the dog exercise areas during the hours of darkness.

Reason:- To protect a dark rural area from light pollution and the residential amenity of near neighbours.

5. There shall at no time, throughout the life of the development, be any container, storage unit, caravan, or any other moveable structure placed anywhere on the land, for any purpose.

Reason:- To safeguard the openness of the Green Belt and the visual amenities of the area.

6. There shall at no time, throughout the life of the development, be any obstacles or dog agility equipment placed, kept or used on the dog exercise areas shown on the approved plans, or any other part of the land. There shall at no time be any other enclosure or area of land provided or used anywhere else on the land for the purpose of dog training or dog exercise, other than the three areas shown and marked on the approved plan.

Reason:- To safeguard the openness of the Green Belt and the visual amenities of the area.

Informative

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 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 paragraph 38.

X *B.J. Haywood*

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: 0333 880 2000.
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.
12. Domestic sprinklers
Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building. The chance of an accidental discharge is 16,000,000:1
If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)
13. Working smoke alarms correctly positioned in your home can save your life.
The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.