STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Rob Duncan
Rob Duncan Planning
28 Ferndale Road
Lichfield
Staffordshire
WS13 7DJ

Mrs Kirkham
C/o Agent

Application no: SMD/2023/0381

Determined on: 31st July 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 Off Stile House Lane Leek Staffordshire

Description of Development:
Erection of stable block, formation of manege and associated change of use of land from agricultural to equestrian use

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 commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:
Block Plan: Dwg no AL04A
Sections and Site Plan: Dwg no AL03B
Plans of Menage:Dwg no AL02B

Proposed Plans and Elevations: Dwg no AL01A

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. The materials to be used on the external surfaces of the development as indicated on 'Plans of Menage:Dwg no AL02B and Proposed Plans and Elevations: Dwg no AL01A shall be implemented as indicated.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

4. Notwithstanding the details on the approved plans the approved access track shall be treated with grey stone chippings with a central grass verge.

Reason: In order to secure a satisfactory form of development

5.The development shall be carried out in accordance with the approved land levels indicated on the Proposed Site Plan and Sections:Dwg no 1843-AL03B No other change in land levels shall be undertaken unless precise land level details have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance any subsequent approved land level details.

Reason: To ensure the proposed development responds positively to characteristics of the area.

6.Construction deliveries to and from the site and construction works, shall be restricted to between 0800 and 1800hrs Monday to Friday, 0900 to 1300hrs on Saturdays, and shall not take place on Sundays and Bank Holidays, unless otherwise agreed in writing with the local planning authority prior to any change. All works will be undertaken in accordance with BS5228:2009.

Reason: To safeguard the living conditions of residents particularly with regard to the effects of noise.

7.The manege and stables hereby approved for equestrian use shall only be used for private recreational purposes for the exercising and stabling of horses owned or leased by the occupier of Dee Bank Farm, Mount Road, Leek. They shall not be used for livery, riding school, equestrian events or any commercial purpose at any time and there shall be no gymkhanas held on the land.

Reason: To define the scope of the permission and prevent the use of the site for purpose(s) other than those hereby approved in the interests of highway safety, residential amenity and protecting the character of the National Landscape.

8. Notwithstanding the details shown on the approved plans prior to the first use of the stable(s) hereby approved for equestrian use, a scheme for the containment and storage of manure including liquid run-off shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use of the stable(s) and shall thereafter be retained.

Reason: Such details were not submitted with the application and are necessary to ensure the satisfactory storage of manure, thus protecting the amenity of neighbouring properties.

9. The development shall be carried out in accordance with the measures and features within habitat creation and management section of the Elite Ecology Biodiversity Net gain Report shall be implemented in full and managed in accordance with the Post Works- Habitat Monitoring Table.

Reason: To enhance biodiversity on the site.

10. There shall be no external artificial lighting, including floodlighting of the manege installed within the site at any time unless a further planning permission has first been granted on application to the local planning authority

Reason: In the interest of amenity and to protect the character of the open countryside.

11. No earthworks shall commence until details of a scheme for the disposal of surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme of surface water disposal has been implemented.

Reason: In the interest of ecology

12. No development shall be brought into use until there has been submitted to and approved in writing by the Local Planning Authority a scheme of Landscaping/ habitat enhancement for the site indicating inter alia the positions of all existing trees and hedgerows within and around the site, indications of any to be retained together with measures for their protection during the course of development, also the number, species, heights on planting and positions of all additional trees, shrubs and bushes to be planted, seeding, planting and soil preparation. All planting, seeding or turfing comprised in the approved details of landscaping / habitat enhancement shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of ecology and visual amenity

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13. Prior to commencement of development precautionary method statements for protected species during construction shall be submitted to the Local Planning Authority and approved in writing. The approved method statements shall be adhered to throughout the construction period.

Reason: In the interest of ecology

14. If development does not commence within 12 months of the date of the previous survey an update survey for badgers at the site shall have been carried out, submitted to and approved in writing by the Local Planning Authority. The survey shall be carried out by a suitably qualified person approved by the Local Planning Authority. If any evidence of badgers is found then the report shall include provisions for the timing of the approved development works, measures for the protection of badgers during development and for the retention of existing or provision of alternative habitat. Development shall proceed in accordance with the approved details.

Reason: In the interest of ecology

15. Prior to the development being brought into use details/specification for species enhancement measures i.e. bird, bat, hedgehog and invertebrate boxes. shall be submitted to the Local Planning Authority and approved in writing. The approved method enhancement measures shall be installed prior to the development being brought into use.

Reason: In the interest of ecology

Informative

The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application as (originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

X B.J. Haywood

Signed by: Ben Haywood

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 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.

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