

Mr Rob Duncan
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WS13 7DJ

Mr Taylor
Springfields Farm Hulme Lane
Werrington
Staffordshire
ST3 5BH

Application no: SMD/2024/0388

Determined on: 18/10/2024

**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:

Springfields Farm Hulme Lane Werrington Staffordshire ST3 5BH

Description of Development:

Application for a Variation of Condition 17
in relation to application SMD/2024/0147 to allow use of land to the south of the application site for any purpose for no more than 28 days per calendar year.

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 approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

Location Plan 1845 05 Revision B
Site Plan 1875 01 Revision A
Block Plan 1845 04 Revision A
Elevation and Layout Drawing 1845 12

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no further development as specified in Part 3 (Changes of Use) shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to control the development and so safeguard the character and amenities of the area.

3. The visibility splays shown on drawing 1845-03 Revision A Site Plan accompanying planning application SMD/2023/0422 shall be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level for the lifetime of the development.

Reason:-

In the interests of highway safety.

4. Within the next available planting season following the date of the decision, new hedgerows shall be provided in exact accordance with drawing 1875-01 Rev A.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

5. The implemented new hedgerows shall 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:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

6. The parking and turning areas shall be provided in accordance with drawing 1875-01 Rev A and shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:-

In the interests of highway safety.

7. The additional overflow parking areas shall be provided in accordance with drawing 1875-01 Rev A and shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:-

In the interests of highway safety.

8. The site shall not be open to customers outside of the following hours:

1000hrs to 1900hrs on any day

Reason:-

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

9. Any further development hereby permitted shall be undertaken in exact accordance with the Construction and Environmental Method Statement submitted with Discharge of Condition application DOC 2024 0006.

Reason:-

To protect the amenities of the area.

10. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not continue until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not recommence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the approved remediation shall be submitted to and approved in writing by the Local Planning Authority.

Reason:-

To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

11. No top soil or fill material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validity evidence submitted to and approved in writing to by the Local Planning Authority.

Reason:-

To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

12. Any floodlighting and external lighting at the site shall be installed in accordance with the details submitted with Discharge of Condition application DOC 2024 0006 for the lifetime of the development. The lighting incorporated into this site in connection with this application shall not increase the pre-existing illuminance or cause at the adjoining light sensitive locations (residential) when the light (s) is (are) in operation.

Reason:-

To protect the local amenities of the local residents by reason of excess of luminance.

13. The plant, machinery and any external ducting and flues approved under Discharge of Condition approval DOC 2024 0061 shall thereafter be installed in their entirety in exact accordance with DOC 2024 0061 for the lifetime of the development. The equipment shall be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the local planning authority. The equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority. (Any system installed must be by suitably qualified competent engineers and the canopy must meet all relevant Health and Safety requirements including the use of Gas Interlocks. The provision of a commissioning certificate issued by a Gas Safe registered engineer should be available for inspection.)

Reason:-

To ensure that unsatisfactory cooking odours outside the premises are minimised, in the interest of the amenity of occupiers of nearby properties

14. The machinery, plant or equipment including air condition and ventilation systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142 (2014 +A1:2019)(Method for Rating and assessing industrial and commercial sound)

Reason:-

To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

15. No means for the amplification of voice or music shall be installed for use outside of the building in the application site or for onward external transmission. Any broadcast or background music played inside the building shall at all times be set at a level that will ensure that it is inaudible outside of the building.

Reason:-

To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

16. The hatched area in the approved Site Plan 1875 01 Revision A shown as "External

Seating Area"" shall be used for no other purpose other than as an outdoor seating area for customers of the approved new use of the building on site and all items used for this purpose in this area shall be moveable non-fixed items.

Reason:-

In the interests of the openness of the Green Belt and the visual amenities of the area.

17. The land edged in red on the Location Plan along with the land shown hatched in brown on amended Location Plan 1845 05 Revision B shall not be used for the siting of play equipment, bouncy castles or other inflatables, catering vans, marquees, food and drink stalls or for the parking of vehicles outside of the areas shown for car parking in the approved Site Plan for the lifetime of the approved development except for domestic play equipment or car parking within the residential curtilage of the dwelling within the land edged red which shall be used only for purposes incidental to the enjoyment of that dwellinghouse. The land to the south of the site shown hatched in green on amended Location Plan 1845 05 Revision B may be used for no more than 28 days per calendar year for any purpose (except for the holding of a market or for motor car or motorcycle racing) and for the provision of any moveable structure for the purposes associated with the permitted use of that land.

Reason:-

to protect the visual and residential amenities of the area.

18. Within one month of the date of this decision, bollards or stones shall be positioned on the area marked ""grass verge"" on the approved plans in accordance with drawing 1875 01 Revision A and the details provided in the Discharge of Condition application DOC 2024 0006 in order to prevent parking on this area and shall be thereafter retained.

Reason:-

To prevent vehicle parking on the verge in the interests of highway safety.

19. Within the first available planting season from the date of this decision, a scheme of biodiversity enhancements and new/replacement grass areas shall be provided within the site in exact accordance with drawing 1875 01 Rev A.

Reason:-

In the interests of the ecological value of the area and to compensate for any harms caused by new areas of hardstanding over greenfield land.

20. There shall be no removal or alteration of dry-stone walls from the land edged red and blue as shown on the approved drawings, other than what is required in order to provide the visibility splays shown on drawing 1875 01 Rev A.

Reason:-

In the interests of the character and appearance of the area

21. A register shall be kept to record all non-agricultural uses of the land hatched green in the Location Plan 1845 05 Revision B and the dates of this occurrence and the register shall be available at all times for inspection by the local planning authority for the lifetime of the development approved.

Reason:-

To ensure compliance with Part 3 of the GPDO which allows temporary uses of land not exceeding 28 days per calendar year.

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 provision of hardstanding, buildings or other engineering works anywhere within the land edged red or hatched on the location plan will require planning permission and an application should be submitted to the local planning authority for consideration prior to any works being carried out.

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.