

Mr & Mrs Gibson
15 Oxford Road
Endon
Staffordshire
ST9 9DX

Sammons Architectural
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr and Mrs J Gibson
15 Oxford Road
Endon
Staffordshire Moorlands
ST9 9DX

Application no: SMD/2013/1186

Determined on: 26/03/2014

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2010**

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 NEAR POOL MEADOWS FARM, OLD MILL LANE, BAGNALL, STAFFORDSHIRE

Description of Development:

Erection of agricultural building

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 approved shall be carried out in accordance with the submitted plans and specifications as follows: Drawing Number 2013-1938-01 and Drawing Number 2013-1983-SP1.

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

3. Notwithstanding the submitted details the metal sheeting shall be finished in colour dark slate reference BS18B29.

Reason: In the interests of the appearance of the Green Belt and Special Landscape Area.

4. The building hereby permitted shall be used for the stated agricultural use only. There

shall be no use for equestrian or other non-agricultural purposes unless express permission is first obtained from the Local Planning Authority.

Reason: For the avoidance of doubt as to what is permitted and to avoid a more intensive use that may adversely affect the amenities of the area.

5. Manure or effluent generated from the proposed unit shall be managed in accordance with the recognised Best Available Technique (BAT) outlined in the Protecting our Water, Soil and Air, A Code of Good Agricultural Practice (DEFRA, 2009).

Reason: To ensure as far as is possible that pollution of controlled waters is prevented and that there is no reasonable cause for annoyance from any odours at any nearby sensitive receptors.

Informatives

1. In determining this application for approval consideration has been given to the National Planning Policy Framework and to saved policies N2, N7, N8, N9 and B13 of the adopted Staffordshire Moorlands Local Plan. The proposed agricultural building is judged to be of suitable scale and design for its purpose and location. There are not judged to be any adverse implications for neighbours or wider public amenity and the SLA nor for the Green Belt. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraphs 186-187.

2. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer. Manure generated as a result of the development in use must be managed so as to meet the requirements of schedule 2 of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. This is available to download from: <http://www.legislation.gov.uk/wsi/2010/1493/schedule/2/made>

3. In accordance with The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 you must notify the Environment Agency about any new, substantially enlarged or substantially reconstructed system at least 14 days before it is first used, see: <http://www.environment-agency.gov.uk/business/sectors/118798.aspx>

4. Protecting our Water, Soil and Air, A Code of Good Agricultural Practice growers and land managers (DEFRA, 2009 [ISBN: 978 0 11 243284 5]), is available as a free download from <https://www.gov.uk/government/publications/protecting-our-water-soil-and-air>

Signed 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.
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. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** 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. All other types of development

have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. 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.