



**Thomas Deery BA (Hons), MSc
Head of Regeneration and Development**

**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT**

Date valid application received:
25/11/2022

Application No: P/2022/01254

Name and address of Agent
JMI Planning
62 Carter Street
Uttoxeter
Staffordshire
ST14 8EU

Name and address of Applicant
Ms Kate Parsons
C/O Agent

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

**Erection of a multi-purpose agricultural building to be used as an implement store and animal shelter for agricultural horses and sheep with associated hardstanding and access
Land off Watery Lane, Beamhurst, Staffordshire**

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

1 The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No.s:

WL1022.003 Location Plan (amended 21.11.2023) at scale 1:1250 dated as received 21st November 2023

WL1022.003 Block Plan (Revised) at scale 1:500 dated as received 7th November 2023

WL1022.001 Proposed Elevations and Floorplans at scale 1:100 dated as received 15th November 2022

WL1022.002 Proposed Side Elevations and Roof Plan at scale 1:100 dated as received 15th November 2022

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality/setting of heritage assets, the amenities of neighbouring properties, biodiversity or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP25, SP29, SP35, DP1, DP3 and DP5, the East Staffordshire Design Guide, and the National Planning Policy Framework

2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 No development shall take place until a detailed scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

4 No development shall take place until details of ecological enhancement measures to be installed on the site have been submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancement measures shall be installed prior to the first bringing into use of any of part of the development and thereafter retained and made available at all times for their designated purposes.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

5 All planting, seeding or turfing comprised in the approved details of landscaping (as approved under Condition 3 of this permission) shall be carried out in the first planting and seeding season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development 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: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

6 The development shall only be carried out in accordance with the external materials that are stated within the application and on the approved plans (as listed in condition 2) unless otherwise first agreed in writing by the Local Planning Authority

Reason: To safeguard the character of the locality in accordance with East Staffordshire Local Plan Policies SP24, SP25, DP1, DP3 and DP5, the East Staffordshire Design Guide and the National Planning Policy Framework.

7 Prior to any part of the proposed development being first brought into use the visibility splay to the access drive exiting onto the public highway as shown on the Drawing No. WL1022.003 Block Plan at scale 1:500 dated as received 7th November 2023 shall be cleared of all obstructions to visibility greater than 0.9m above the carriageway level and shall be maintained as such thereafter for the life of the development.

Reason: In the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

8 Any gates to be erected to the access drive exiting onto the public highway shall be placed a minimum distance of 10.0metres back from the carriageway edge

Reason: In the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework

9 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order) the building hereby permitted shall not be used for any purposes other than for the purposes related directly to agriculture as defined by Section 336 of the Town and Country Planning Act 1990. When the building hereby permitted is no longer required for the purposes of agriculture on the holding, it shall be dismantled, removed from the site and the land restored to its former condition.

Reason: The building has been approved for agricultural purposes only, when that use ceases the removal of the building will allow the original character and appearance of the site to be restored in accordance with East Staffordshire Local Plan Policies SP1 and SP8 and guidance contained in the National Planning Policy Framework.

10 No external illumination shall be provided on the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of adjoining properties and the locality and in the interests of biodiversity in accordance with National Planning Policy Framework and East Staffordshire Local Plan Policies SP1, SP29, DP1 and DP7.

11 No more than 4 no. horses shall be stabled at the building hereby approved at any time and the building shall only be used to stable horses for agricultural related purposes and not for any equestrian use/business use.

Reason: In the interests of highway safety and residential amenity in accordance with National Planning Policy Framework and East Staffordshire Local Plan Policies SP1, SP8, SP35, DP1 and DP7.

Informative(s):

1 During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

2 The conditions identified below require details to be approved before commencement of the development/works.

Condition Nos 3 and 4

This means that a lawful commencement of the approved development cannot be made until the particular requirements of the specified conditions have been met.

Requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee must be paid when the request is made. Any number of conditions can be included for each request.

Payment can be made by cheque or card only. If you wish to pay by credit or debit card (1.6% administration charge for credit cards) please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

3 Please note that prior to the access being constructed, a Section 184 Notice of Approval from Staffordshire County Council is required. It is likely that there will be the need for the highway drainage ditch to be cleared and not obstructed by the works required to construct the access which is likely to require some sort of structure the details of which will need to be approved as part of this agreement. Please email nmu@staffordshire.gov.uk for further details. The link below provides an overview of the permissions and licenses required for undertaking work on or adjacent to the adopted highway:

<https://www.staffordshire.gov.uk/Highways/licences/Overview.aspx>

4 The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species.

5 In respect of condition 3 the applicant is encouraged to use native species planting in order to provide opportunities for biodiversity and to ensure that the rural character of the location is respected.

6 In respect of Condition 4 it is recommended that bird and bat boxes are provided to encourage diversity.

This permission is granted by the under signed under powers delegated by the Borough Council in accordance with the provisions of Section 101 of the Local Government Act 1972.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.

Dated 7th December 2023

Signed *Emily Summers*

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- 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.
- In the case where we refuse planning permission or grant it subject to conditions decision if you want to appeal then you must do so within 6 months of the date of this notice (unless the application is for a minor commercial proposal). In the case where we refuse planning permission or grant it subject to conditions for a minor commercial application, if you want to appeal against your decision then you must do so within 12 weeks of the date of this notice.
- 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 <https://www.gov.uk/appeal-planning-inspectorate>.
- 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.