

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

Date valid application received: 29/04/2021

Application No: P/2021/00324

Name and address of Applicant

Miss Sarah Goring
Far Hoar Cross Farm
Lower Hoar Cross Road
Hoar Cross
Staffordshire
DE13 8RE

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

Change of use of land from agricultural to a dog exercise area (Sui Generis) with associated car parking and retention of a 2m high fence & gate

Land Lying To The South Of, Far Hoar Cross Farm, Lower Hoar Cross Road, Hoar Cross, Staffordshire

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

- 1 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.

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

Location Plan at scale 1:2500 dated as received 12th April 2021
Proposed Location Plan at scale 1:1250 dated as received 12th April 2021
Proposed deer fencing and access gate at scale 1:50 dated as received 22nd April 2021
Visibility Splay Plan at scale 1:2500 dated as received 24th June 2021
Supporting Statement dated as received 22nd March 2021
Preliminary Ecological Appraisal by Elite Ecology dated as received 29th April 2021

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway in accordance with East Staffordshire Local Plan Policies SP1, SP8, SP24, SP27, SP29, SP35, DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

3 No development shall take place until an amphibian method statement have been submitted to and approved in writing by the Local Planning Authority. The approved. The development hereby approved shall be carried out in accordance with the approved statement.

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

4 Prior to the first use of the development hereby granted permission:

i. the access shall be formed with a minimum width of 4.0m wide with 45 degree splays from the edge of the access to the carriageway and the gate shall be located a minimum of 5m to the rear of the highway boundary and open away from the highway only.

ii. the visibility splays shown on ' Visibility Splay Plan' at scale 1:2500 dated as received 24th June 2021 shall be provided and thereafter nothing exceeding 900mm in height above the adjoining carriageway shall be placed or allowed to remain forward of the splays for the perpetuity of the use.

iii. the access hereby approved shall be provided in a bound material and drained.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP35.

5 Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out strictly in accordance with the management measures set out in the supporting statement dated as received on 27 August 2020 (as referred in condition 2 above).

Reason: In the interests of amenities of the locality in accordance with East Staffordshire Local Plan Policies SP1 and SP35.

6 The field shall be used solely for the purposes of supervised dog walking and shall not be used outside of the hours of 07:00 to 16:00 during the months of November to March and 07:00 to 19:00 during the months of April to October.

Reason: In the interests of nearby residential amenities in accordance with East Staffordshire Local Plan Policies SP1, DP1 and DP7.

7 There shall be no external lighting installed or used within or on the land hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities and wildlife habitats of the locality in accordance with East Staffordshire Local Plan Policies SP1, SP8, SP24, SP29, SP30 and DP3 and the National Planning Policy Framework.

8 A minimum of one No. bin for the disposal of dog waste shall be provided on the site prior to the first use of any of part of the development and thereafter retained at all times for the life of the development.

Reason: To safeguard wildlife habitats in accordance with East Staffordshire Local Plan

Policy SP29 and the National Planning Policy Framework.

- 9 The development hereby approved shall be carried out in accordance with the Preliminary Ecological Appraisal by Elite Ecology dated as received 29th April 2021. The enhancement measures within the Appraisal shall be installed prior to the first use of any of part of the development and thereafter retained and maintained as 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.

Informative(s):

- 1 The conditions identified below require details to be approved before commencement of the development/works.
Condition No(s) 3

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

As from 6th April 2008 requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request (or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house). 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. 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.

- 2 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.
- 3 The applicant is advised that a Section 184 Notice of Approval from Staffordshire County Council is required prior to the new access being constructed. A vehicle access crossings information pack and an application form for a vehicle access crossing (dropped kerb) are available on the County Council's website at

www.staffordshire.gov.uk/transport/staffshighways/licences/Vehicle-access/VehicleAccessCrossings.

The application form can be completed online or downloaded, completed and sent to Network Management Unit, Staffordshire County Council, Staffordshire Place 1, Wedgewood Building, Tipping Street, Stafford, ST16 2DH or emailed to nmu@staffordshire.gov.uk.

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 2nd July 2021

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 application, please see the criteria for a minor commercial application below). 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.

Minor Commercial Development Uses

Shops

1. Use for all or any of the following purposes—
 - (a) for the retail sale of goods other than hot food,
 - (b) as a post office,
 - (c) for the sale of tickets or as a travel agency,
 - (d) for the sale of sandwiches or other cold food for consumption off the premises,
 - (e) for hairdressing,
 - (f) for the direction of funerals,
 - (g) for the display of goods for sale,

Sal Khan CPFA, MSc
Head of Service (Section 151 Officer)
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Decision Notice Del – PA Approve Conditions

- (h) for the hiring out of domestic or personal goods or articles,
- (i) for the washing or cleaning of clothes or fabrics on the premises,
- (j) for the reception of goods to be washed, cleaned or repaired,
- (k) as an internet café, where the primary purpose of the premises is to provide facilities for enabling members of the public to access the internet, where the sale, display or service is to visiting members of the public.

Financial and professional services

2. Use for the provision of—

- (a) financial services,
- (b) professional services (other than health or medical services), or
- (c) any other services (including use as a betting office) which it is appropriate to provide in a shopping area, where the services are provided principally to visiting members of the public.

Restaurants and cafes

3. Use for the sale of food and drink for consumption on the premises.

Drinking establishments

4. Use as a public house, wine-bar or other drinking establishment.

Hot food takeaways

5. Use for the sale of hot food for consumption off the premises.”