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Rushton Hall Farm
Dingle Lane
Rushton Spencer
Staffordshire Moorlands
SK11 0QT

Application no: SMD/2014/0428

Determined on: 23/04/2015

**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:

Rushton Hall Farm, Dingle Lane, Rushton Spencer, Staffordshire SK11 0QT

Description of Development:

Conversion of redundant Barn at Rushton Hall Farm into accommodation ancillary to the adjacent Listed Farmhouse.

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 conditions listed below and the following submitted plans:

3686/00 Rev D Revised Site and Block Plan received on 10th October 2014

3686/11 Revised Floor Plans received on 10th October 2014

3686/12 Revised Elevations received on 10th October 2014

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 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 development as specified in Schedule 2 Part 1 Classes A, B, C, D, E, F, G and H and/or Part 2 Classes A, B, C, D, E and F other than those expressly authorised by this permission, 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 special character, appearance and visual amenities of the listed building and its setting.

4. The proposed living accommodation shall be restricted solely to the ground floor of the building in accordance with the details shown in the amended plans and at no time shall the first floor of the building be taken into residential use. The proposed accommodation hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the building known as Rushton Hall Farm, and at no time shall it be separated from it in either a physical or legal sense.

Reason: To ensure that the accommodation remains ancillary to the use of the principal dwelling at Rushton Hall Farm.

5. The development hereby permitted shall not commence until plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:- To ensure the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a potential flooding problem and to reduce the risk of pollution.

6. No works shall be commenced until details of parking and turning facilities within the curtilage of the site to serve the proposed unit of accommodation have been submitted to and approved in writing by the local planning authority. The approved facilities shall be made available for use before the proposed accommodation is first occupied.

Reason:- In the interests of highway safety

7. The frames, windows and doors of the proposed development (other than the glazing in the proposed new door in the east elevation) shall be constructed entirely of timber and set back a minimum of 75 to 100 mm from the edge of the stonework around the openings, unless otherwise agreed in writing by the Local Planning Authority prior to their installation.

Reason:- To maintain the character and integrity of the curtilage listed building.

8. Details of the proposed colour scheme and paint (or stain) specification for all joinery shall be submitted to and approved by the Local Planning Authority before the relevant parts of the work commence. The development shall be carried out in accordance with the approved details.

Reason:- To maintain the character and integrity of the listed building.

9. Details of the proposed joinery shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Details shall include: the recess depth of frame within the aperture; moulded timber sections; finish; opening mechanism; and glazing bar subdivision. The development shall be carried out in accordance with the approved details.

Reason:- To maintain the character and integrity of the curtilage listed building.

10. Details of any new or replacement rainwater goods, external drainage goods and soil pipes and means of ventilation on the visible elevations shall be submitted to and approved by the Local Planning Authority. Details should include: the materials to be used, colour of paint, means of ventilation, and any associated cowling, and the development shall be carried out in accordance with the approved details.

Reason:- To maintain the character and integrity of the curtilage listed building.

11. All pointing shall be of a strength and style appropriate to the type of walling material used and shall not include 'tuck', 'strap' or 'recessed' pointing.

Reason:- To maintain the character and integrity of the curtilage listed building.

12. All new external facing materials to be used for the proposed development shall match in terms of size, colour, form and texture those on the existing building.

Reason:- To maintain the character and integrity of the curtilage listed building.

13. Unless otherwise allowed under licence from Natural England, any works to the roof and walls of the building shall take place only during the period between 1st October and 31st March during consecutive calendar years

Reason:- To safeguard and protect European Protected Species (bats) during the summer months of activity

14. In undertaking conversion works of the barn the specified number of three bat tubes and three ridge tile roosts (as recommended at Appendix 7 to the Bat Survey and Barn Owl Report) shall be incorporated into the building. Details of the locations for these facilities, which shall be installed before the accommodation is first occupied, shall be submitted to and approved in writing by the local planning authority prior to installation.

Reason:- To ensure the provision of new facilities for a European Protected Species

15. Any chemical timber treatments to the roof and loft timbers shall be of a type approved by Natural England as being not harmful to bats

Reason:- To safeguard and protect a European Protected Species.

16. The removal of ridge tiles and roof tiles within a metre of the ridge shall be undertaken by hand whilst observing for the presence of bats or bat droppings. In the event that bats or their droppings are encountered, building operations to the roof shall cease and shall not be re-commenced other than in accordance with advice that shall be previously obtained from a suitably qualified bat specialist.

Reason:- To protect and safeguard a European Protected Species.

Informative

1.The Council has negotiated a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. This permission should be read in conjunction with the accompanying Unilateral Obligation dated 23rd April 2015 entered into under Section 106 of the Town and Country Planning Act 1990 (as amended),.

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/pes. 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.