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Application no: SMD/2015/0429

Determined on: 29/09/2015

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2015**

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:

Horton Hall Tollgate Road Horton Staffordshire ST13 8PH

Description of Development:

Variation of conditions 2,4, 5 & 7 to approved application SMD/2014/0721

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 the original planning permission SMD/2014/0721 (2nd February 2015).

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 permitted shall be carried out in accordance with the following submitted plans;

AL01 Rev A;
AL18 Rev B;
AL19 Rev B;
AL20 Rev D;
AL21 Rev D;
AL22 Rev F;
AL23 Rev D;

AL24 Rev C;
AL25 Rev D;
AL26;
AL32 Rev C;
AL37;
AL38;
AL40 Rev G;
AL44 Rev J;
AL45 Rev I;
AL50 Rev J;
AL53 Rev D;
AL55 Rev D;
AL56 Rev E;
SK52 Rev B;

Reason:-

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

3. Notwithstanding above approved drawings AL18 Rev B and AL19 Rev B no permission is granted for the detached garage.

Reason:-

For the avoidance of doubt as to what is approved.

4. Hollington Mottled Sandstone and Lime Mortar pointing shall be used for the construction of the Orangery.

Reason:-

In the interests of good design and impact upon the Listed Building.

5. Surfacing materials samples/details shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the two courtyard areas as identified within Phase 1. The development shall then be carried out in accordance with the approved details.

Reason:-

To maintain the character and integrity of the Listed Building.

6. Prior to the construction of the dormer roof (Phase 5) details of all roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the approved details.

Reason:-

To maintain the character and integrity of the Listed Building.

7. Prior to the installation of any joinery items, specific joinery details for replacement/new windows, doors and staircases, including finish, shall be submitted to and approved in writing on a phased basis by the Local Planning Authority. The details are to be submitted to suit the phases of work in accordance with the approved 'Planning/LBC Condition Phasing Plans' drawing references AL37 and AL38 as follows;

- Phase 1 (Red) - Orangery Extension;
Phase 2 (Green) - Existing Ground Floor of the Hall and Garage (Proposed Plant Room);
Phase 3 (Orange) - Existing First Floor of the Hall;
Phase 4 (Purple) - Existing Second Floor/Attic of the Hall.
Phase 5 (Blue) - Existing Ground/First/Second Floors of the 'annex.'

The details shall be submitted prior to works commencing within the agreed 'phases of works' and shall then be carried out in accordance with the written, approved details and be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To maintain the character and integrity of the Listed Building and in accordance with the applicant's intentions.

8. Notwithstanding above approved drawing number AL21 Rev D, details of the timber shutters to be removed within the ground floor store room and the proposed glazing system (including shelving) and cellar access doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted prior to works commencing within the store room and shall be undertaken in accordance with the agreed specification.

Reason:-

To maintain the character and integrity of the Listed Building.

9. Prior to the installation of the internal services (for example electrical, mechanical, plumbing, heating, under floor heating), details shall be submitted to and approved in writing on a phased basis by the Local Planning Authority. The details are to be submitted to suit the phases of work in accordance with the approved 'Planning/LBC Condition Phasing Plans' drawing references AL37 and AL38 as follows;

- Phase 1 (Red) - Orangery Extension;
Phase 2 (Green) - Existing Ground Floor of the 'Hall' and Garage (Proposed Plant Room);
Phase 3 (Orange) - Existing First Floor of the 'Hall';
Phase 4 (Purple) - Existing Second Floor/Attic of the 'Hall';
Phase 5 (Blue) - Existing Ground/First/Second Floors of the 'Annex;'

The details shall be submitted prior to works commencing within the agreed 'phases of works' and shall then be carried out in accordance with the written, approved details and be retained for the lifetime of the development unless otherwise approved in writing by the Local Planning Authority.

Reason:-

To maintain the character and integrity of the Listed Building and in accordance with the applicant's intentions.

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.
2. The applicant(s)/developer(s) is advised that this permission does not convey and consent for the use of the north wing as permanent residential accommodation.

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.