Mr & Mrs Babb
c/o Agent

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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Mr J and Mrs J E Babb
c/o Agent

Application no: SMD/2016/0303

Determined on: 20/07/2016

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:
Rickyard and Barns, Bradley Lane, Threapwood, Alton, Staffordshire Moorlands

Description of Development:
Proposed change of use of barns to 3 units of living accommodation
including internal and external alterations

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 permitted shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in the plans referenced as follows: drawings
6708-1 6/16 Amdt.1;
6708-2 6/16 Amdt.1; and
6708-3 6/16 Amdt.3.
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Prior to the commencement of development there shall be submitted to and approved in writing by the Local Planning Authority (LPA) a detailed Ecological Construction Method

Statement (ECMA) supported by further appropriate bat survey as necessary in order to plan the work to accord with the latest published Bat Conservation Trust Guidelines and Natural England requirements and which as a minimum sets out seasonal timing of works and working methods as well as providing appropriate roosting sites in the completed development and the development shall be implemented in accordance with the ECMA as approved by the LPA unless subsequently amended by a Natural England European Protected Species (EPS) Licence in which case the work shall be implemented in accordance with the EPS Licence and in either event shall be implemented and retained as approved for the lifetime of the development.
Reason: To ensure that the development proceeds with appropriate protection and safeguard for European Protected Species.

4. Prior to the commencement of development a scheme for the provision of nesting opportunities for wild birds including Swallows shall first be submitted for the written approval of the Local Planning Authority and the scheme as approved shall be implemented prior to the first occupation of the development.
Reason: In the interests of biodiversity.

5. Prior to the commencement of the development a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication. The Scheme shall thereafter be implemented in full in accordance with the approved plans.
Reason: In the interests of recording and understanding the archaeological heritage of the site.

6. Prior to the commencement of development drainage plans for the disposal of foul and surface water flows shall be 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 that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

7. Prior to the commencement of development a full schedule giving details of all the repair, renovation and alteration works to be undertaken including work to walls including a method statement for taking down and rebuilding, making good and repointing, work to floors, ceilings and roof structure and treatment of demolition scarring shall be submitted to the Local Planning Authority for approval in writing and the works shall thereafter be undertaken in accordance with the details in the schedule as approved. The existing ventilation slits shall be retained to appear externally visible with any glazing set to the interior of the openings.
Reason: In the interests of proper planning, the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

8. Prior to the commencement of development samples of the facing materials to be used shall be submitted to and approved in writing by the Local Planning Authority and the work shall be implemented in accordance with the details as approved.
Reason: To maintain the character and integrity of the heritage asset as a curtilage Listed Building.

9. Prior to the commencement of development details of all landscaping including boundaries, surfacing, parking and turning areas and bin storage shall be submitted to the Local Planning Authority for approval in writing and shall be completed in accordance with the approved design details.
Reason: In the interests of the integrity of the heritage asset and the appearance of the development and its setting.

10. Prior to the commencement of development and notwithstanding the submitted drawings, details shall first be submitted to the LPA for approval in writing of all eaves and verges and the development shall subsequently be completed to the details approved which shall be implemented prior to the first coming into use of the building.
Reason: To protect and enhance the appearance of the building and the area.

11. Prior to the commencement of development detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of proposed finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To protect and enhance the appearance of the building and the area.

12. All rainwater goods shall be of metal or wood to a profile the detail of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation.
Reason: In the interests of the visual integrity of the building.

13. No external flues or extractor equipment whatsoever shall be installed at the premises hereby permitted without the prior written consent of the Local Planning Authority.
Reason: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the building and the visual amenities of the area.

14. Prior to commencement of development the roof light details shall be submitted to and approved in writing by the Local Planning Authority and shall be fitted in accordance with the details approved. Roof lights shall be of Conservation standard and shall be designed to fit flush with the plane of the roof and the frame should have a black finish. The glazed area shall be subdivided vertically.
Reason: To maintain the character and integrity of the heritage asset as a curtilage Listed Building.

15. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. A sample panel shall be completed on site which shall be inspected and approved in writing by the Local Planning Authority before development commences and shall remain on site during the period of construction. Any new brickwork and/or repointing shall be carried out to match the approved sample panel.
Reason: To maintain the character and structural integrity of the heritage asset as a curtilage Listed Building.

16. The development hereby permitted shall not be brought into use until the access drive to the rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the carriageway edge.

Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

17. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

18. Before the proposed development is brought into use, the access shall be constructed with a fall from the building line to the edge of carriageway or with an upstand; in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be constructed in accordance with the approved the details.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Classes A; B; C; D; E; F; G and H and/or Part 2 Classes A; B and C, 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 character and visual amenities of the area, the integrity of the heritage asset and the setting of the adjacent Listed Building and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

Informatives

1. With regard to Condition 3, the confirmed presence of bats in the building proposed to be developed means that work can only take place if carried out in accordance with Natural England's licensing procedures for work which will affect European Protected Species. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

2. With regard to Condition 5, this work would record evidence of phasing, the survival of historic fixtures and fittings and the use of space within the current structure. It would effectively equate to a Level 2 survey as identified in the Historic England volume entitled 'Understanding historic buildings: a guide to good recording practice' (2006). The building recording should be carried out by a suitably experienced historic environment professional or organisation working to the Chartered Institute for Archaeologists (CIfA) standards and guidance for the 'Archaeological investigation and recording of standing buildings and structures' (2014) and the Level 2 survey standard as identified in the English Heritage (now Historic England) volume entitled 'Understanding historic buildings. A guide to good recording practice' (2006). The archaeological watching brief should be carried out by a suitably experienced archaeologist or historic environment organisation working to the CIfA standards and guidance for 'Archaeological watching briefs' (2014).

3. With regard to drainage and Condition 6 it is advised that there may be a public sewer located within the application site and the applicant is encouraged to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building.

4. When submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

5. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

6. Party Wall Act. Attention is drawn to the requirements of The Party Wall Etc Act 1996 in relation to development close to the boundary of the application site and in particualr in resepct of Unit 3.

7. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. As advocated within the National Planning Policy Framework at paragraphs 186-187 negotiation with the applicant and agent allowed certain amendments to the details and plans as submitted to be made prior to the determination.

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

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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.