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Application no: DET/2016/0037

Determined on: 02/09/2016

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

**PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED
APPROVED**

Staffordshire Moorlands District Council hereby **APPROVE** this application for **DETERMINATION** for:

Change of use of agricultural building into one dwelling house (Class C3) and building operations reasonably necessary at Houghwood House Farm, Houghwood Lane, Stockton Brook, Staffordshire Moorlands

in accordance with the submitted application, details and accompanying plans: Location Plan and Plans and Elevations 1412-02 subject to the following conditions:-

1. Prior to the commencement of development a scheme of compensation measures to include provision of bat roost opportunities within the development shall be submitted to the Local Planning Authority for approval and shall be implemented and retained as approved for the lifetime of the development.

Reason: To safeguard the population of European Protected Species.

2. Prior to the commencement of development details of all landscaping including curtilage boundary treatments and curtilage surface treatments shall be submitted to the Local Planning Authority for approval and shall be completed in accordance with the design details as subsequently approved in writing.

Reason: In the interests of the integrity of the building's character and the appearance of the development and its setting.

3. All exterior doors and windows shall be of painted timber and shall be recessed a minimum of at least 75mm relative to the exterior wall face.

Reason: In the interests of the integrity of the building's character and the appearance of the development.

4. No external cowls, vents, ducts flues or extractor equipment whatsoever shall be installed at the premises hereby permitted for development 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.

5. All pointing shall be of a strength and style appropriate to the type of wall (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. All raking out shall be by hand tools not using mechanical means.

Reason: To maintain the character and integrity of the building

6. 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: In the interests of amenity and users of the adjacent public rights of way.

Informatives

1. In carrying out the development the applicant is advised of the need to closely follow the advice contained in the submitted ecology report by Mr S. Christopher Smith dated 16th June 2016 as summarised at page 2 of that report.

2. In the event that bats or bat droppings are encountered during the demolition and conversion work, all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the specialist advice obtained and with due reference to the law including the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981.

3. 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 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.

4. Staffordshire County Council Highways advise that as Houghwood Lane is a private road you should ensure that you have the appropriate rights and permissions to carry out the development and should further ensure that rights of access are conferred on future purchasers.

5. Party Walls and boundaries. 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.

Signed on behalf of Staffordshire Moorlands District Council

NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with Sections 78 & 79 of the Town & Country Planning Act, 1990, within six months of the date of the decision notice. Appeals must be made on a form which is obtainable from the Department of Transport, Local Government and the Regions, Planning Inspectorate, Temple Quay House, No. 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the Development Order, and to any directions given under the Order.
2. If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough or District Council or County Council in which the land is situated as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part 6 of the Town & Country Planning Act, 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town & Country Planning Act, 1990.