STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Ms Beverley Poole
BP Architecture Ltd
High Street
Stoke on Trent
Staffordshire
ST8 6AB

Ms Adams
Barn Adjacent to The Fenns
Moss Hill
Staffordshire
ST9 9NW

Application no: SMD/2016/0240

Determined on 6th February, 2017

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

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:
Barn Adjacent To The Fenns MOSS HILL STOCKTON BROOK STAFFORDSHIRE

Description of Development:
Change of Use of former Barn to Art Studio including the creation of a car park and retrospective vehicular access

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2.The development hereby permitted shall be carried out in accordance with the following approved plans:
15-026-AS (0) 01, 02, 03A, 04, 05, 07D, 08D, 10E and 11.

Reason:- For the avoidance of doubt and in the interests of proper planning.

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3.Before the commencement of development (including any site clearance, stripping, site establishment or formation of new car parking provision) a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of all new tree and shrub planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.
Reason:-To ensure a satisfactory external finish in the interests of the character and appearance of the area

4.No development shall take place until details of the ecogrid system (or other cullular confinement system) for the car park shown on Proposed Car Parking Plan, drawing 15-026 AS (0) 10E together with details of any levelling and preparatory ground work required has been submitted to and approved in writing by the Local Planning Authority. The approved system shall subsequently be installed using a no dig specification avoiding excavation of existing ground levels within the Root protection areas of existing trees to be retained, other than careful removal of ground vegetation and any scraping of loose organic matter and surface soil to herbaceous rooting depth as necessary. Any such minimal ground vegetation and surface soil removal which is necessary within Root protection areas shall only be carried out using hand tools. The car park shall be fully completed in accordance with the agreed details and made avaible for use before the use hereby permitted is commenced.
Reason:-To protect existing trees, in the interests of the character and appearance of the area and highway safety

5.The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material to be previously agreed in writing by the Local Planning Authority for a minimum distance of 5m back from the site boundary.
Reason:- In the interests of highway safety

6.The development hereby permitted shall not be brought into use until the following works have been constructed:
- kerbing across the access with upstand of 25mm in a kerbing material to be previously agreed in writing with the Local Planning Authority.
Reason:- To reduce the likelihood of surface water flowing off the highway onto the parking area

7. The access shall be constructed with a maximum gradient of 1 in 10 for a minimum distance of 5m rear of the site boundary
Reason:- In the interests of highway safety

8.Notwithstanding the submitted plans and prior to the commencement of development, full

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details and sections of the proposed new doors and windows to include materials, recess depth, finish, opening mechanism and glazing bar subdivision together with a schedule of work for the refurbishment of existing windows and doors to be retained shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out thereafter strictly in accordance with the approved details.
Reason: In the interests of the appearance and integrity of the building and character and appearance of the area

9. The materials to be used in this development shall be as follows:-

Roofing material - Staffordshire blue plain clay tile
External walls – stone to match the existing building
Reason:- To define the permission and in the interests of the appearance and integrity of the building

10. Notwithstanding the submitted plans, no development shall be carried out until details of the following have been submitted to and approved in writing by the Local Planning Authority. The development shall therafter be carried out in accordance with the approved details

- Eaves and verge detail
- Extent and detail of solar tiles on the south elevation
- Roof lights
- Retaining walls
- Cills and lintels
- External lighting scheme
- Bin store

Reason:- In the interests of the appearance and integrity of the building and character and appearance of the area.

11. Any existing stone work disturbed as a result of the repositioning of existing or insertion of new windows shall be made good using stone to match the existing building.
Reason:- In the interests of the appearance and integrity of the building and character and appearance of the area.

12. The use hereby permitted shall not take place other than between the hours of: -
0900 – 2100 hours Monday to Friday
0900 – 1800 hours Saturday, Sunday and Bank Holidays.

Reason:- To protect residential amenity

13. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason: To protect the adjoining local amenities from noise.

14. The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. The details and location of any plant or machinery to be installed under this permission shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences.
Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

15. The premises shall only be used as an Art Studio and for no other purpose.
Reason:- To define the permission in the interests of sustainability, residential amenity and highway safety

Informative

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

2. You are reminded of your responsibilities under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 in respect of any protected species that may inhabit the site including bats. It is judged unlikely that the proposed works would affect Bats. However bats are protected by law and in the event that bats or bat droppings are encountered during the development 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.The expectation in respect of Condition 5 is for grasscrete or similar eco grid system and in respect of Condition 6 is for stone setts with a 25mm upstand

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X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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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 at buildingcontrol@staffsmoorlands.gov.uk

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. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk 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.

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8. If this is a decision to refuse planning permission for a minor commercial 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.

9. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

10. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

11. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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.

12. 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.
13.