STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Smytheman Architectural Services
High Street
Stoke-on-Trent
Staffs
ST10 4DZ

Mr & Mrs Deaville
Pelham Farm Ashbourne Road
Bottomhouse
Leek
ST13 7QJ

Application no: SMD/2016/0795

Determined on: 15/02/2017

**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:**
Pelham Farm Ashbourne Road Bottomhouse Leek Staffordshire ST13 7QJ

**Description of Development:**
Proposed change of use of existing barn to form extension to existing living accommodation and construction of single storey extension to form sun-room, including retention of works carried out under expired planning permission 09/00072/FUL

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 carried out in accordance with drawings numbered 3020-02, 3020-03, 3020-04 and 3020-05, received by the Local Planning Authority 19th December 2016.
   Reason:- For the avoidance of doubt.

2. Notwithstanding the provisions of teh 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 Class(es) A, B, C, D, E, G and H and/or Part 2 Class(es) A and C, other than those expressly authorised by this permission, shall be carried out within the

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site without express planning permission first being obtained from the Local Planning Authority.
Reason:- To enable the Local Planning Authority to control the development adn so safeguard the character and visual amenities of the area and building as well as to ensure continued compliancewith Policies R1 and DC1 of the Staffordshire Moorlands Core Strategy.

3. Notwithstanding the details on the approved plans, all windows and doors shall be in accordance with the submitted window schedule, received by the Local Planning Authority 19th December 2016.
Reason:- To protect and enhance the character and appearance of the existing range of buildings.

4. Any external facing and roofing materials to be used shall match in colour, form and texture to those of the existing building and there shall be no variation without the prior consent in writing of the Local Planning Authority.
Reason:- To ensure that the external appearance of the development is satisfactory.

5. The provision of nest boxes for Swallows, House Martins and House Sparrows as detailed on drawing number 3020-03 shall be made prior to first occupation of the proposed development and shall be retained in perpetuity.
Reason:- In order to make provision for ecological enhancement.

**Informative**

1. Development has commenced in association with planning reference SMD/2009/0026. However, pre-commencement conditions had not been addressed. There have been no changes to planning policy since that date that would warrent teh Council reaching a different conclusion now. Therefore, this proposal is considered to constitute a sustainable form of development that accords with the objectives of the National Planning Policy Framework.

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.
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