STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Robert Berry
10 Truro Close
Congleton
CW12 3BD

Mr Andrzejewski
Huntley House Farm Huntley Lane
Cheadle
Staffordshire
ST10 1UA

Application no: SMD/2016/0799

Determined on: 31/03/2017

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:
HUNTLEY HOUSE FARM 51 HUNTLEY LANE HUNTLEY CHEADLE STAFFORDSHIRE ST10 1UA

Description of Development:
Proposed conversion/change of use of redundant barn/shippon to form dwelling and alterations to elevations including partial demolition (resubmission of SMD/2016/0497)

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 strict accordance with the submitted plans nnumbered 105/04 Plans as Proposed/Block PLan and 105/05 Location Plan.
Reason:- For clarity and the avoidance of doubt.

3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the dwelling shall be carried out and no extensions, porches, ancillary buildings, satellite antenna, gates, fences, walls or other means of boundary enclosure shall be erected on the site without the Local Planning Authority's prior written consent.
Reason:- The Local Planning Authority wishes to retain control over such development in order to ensure that the visual amenities of the site and the valued characteristics of the area are protected.

4. The development hereby approved shall be carried out within the shell of the building and there shall be no rebuilding works other than those expressly detailed on the approved plans without the prior written consent of the Local Planning Authority.
Reason:- For clarity and the avoidance of doubt.

5. Any new brickwork shall match that on the existing building in terms of size, colour, form and texture and there shall be no variation without the prior written consent of the Local Planning Authority.
Reason:- In order to ensure a satisfactory external appearance.

6. The roof shall be clad in reclaimed Staffordshire Blue plain clay tiles which shall match those on the existing building and there shall be no variation without the prior written consent of the Local Planning Authority.
Reason:- In order to ensure a satisfactory external appearance.

7. Notwithstanding the details shown on the approved plans, 105/04 the central rooflight serving the landing and stairwell shall be omitted.
Reason:- In order to ensure a satisfactory external appearance.

8. Prior to the development hereby approved commencing details of rooflights shall be submitted to and approved in writing by the Local Planning Authority. Roof lights should be designed to fit flush with the plane of the roof and the frame should have a black finish. The glazed area should be subdivided vertically. The development shall then be carride out in strict accordance with the approved details.
Reason:- In order to ensure a satisfactory external appearance.

9. The windows and doors of the proposed development shall be constructed of timber and permanently so maintained unless otherwise agreed in writing by the Local Planning Authority.
Reason:- To ensure that the development is of a design sympathetic to the locality.

10. The development hereby permitted shall not be commenced until detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of proposed finishes have been 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.

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11. The rainwater goods shall be black.The gutters shall be fixed dircetly to the brickwork with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
Reason:- In order to ensure a satisfactory external appearance.

12. The roof verges shall be flush cement pointed with no barge boards or projecting timberwork.
Reason:- In order to ensure a satisfactory external appearance.

13. All soil vent pipes shall be completely internal.
Reason:- In order to ensure a satisfactory external appearance.

14 All pointing shall be of a strength and style appropriate to the type of walling material used (see Council leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing.
Reason:- In order to ensure a satisfactory exteneral appearance.

15. Prior to first occupation of the development hereby permitted, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external ighting shall be installed in accordance with the approved details and thereafter retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.
Reason:- In the ineterests of the amenity of the area and to safeguard the established ecological interests on the site.

16. No development, with the exception of site clearance and demolition, shall take place until an intrusive site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority. If the site risk assessment indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, and is subject to the approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.
Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

17. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.
Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

18. 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/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason:- To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

19. During any demolition and construction activities (including landscaping) the contractor shall pay due regard to the Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456), and take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
Reason:- To protect the amenities of the area from dust.

20. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.
Reason:- To protect the amenities of the area.

21. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.
Reason:- To ensure satisfactory drainage of the site.

22. Prior to the first occupation of the dwelling hereby approved space shall be laid out within the application site for 3 cars to be parked and for a vehicle to turn so that it may enter and leave the application site in a forward gear. The parking and turning areas shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority and these areas shall not thereafter be used for any other purpose than the parking

of vehicles.
Reason:- In the interests of highway safety and to ensure adequate off street parking for the development.

23. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials and soft landscape details shall include planting plans and schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate and implementation timetables. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.
Reason:- To ensure that the site is appropriately landscaped and in the interests of the amenity of the area.

24. The development hereby approved shall be carried out in accordance with the Bat and Bird Activity Survey Report undertaken by Charnia Ecology (June 2016) and the mitigation measures and recommendations contained in paragraphs 5.2 and 5.3 of the report shall be followed unless otherwise agreed in writing by the Local Planning Authority.
Reason:- To safeguard the established ecological interests on the site.

Informatives

1. The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted. The application propsoes a sustainable form of development which is in accordance with polcieis contained in the adopted Core Strategy and guidance in the National Planning Policy Framework.

2. Attention is drawn to condition 3 of this approval, the effect of which is to withdraw permitted development rights in respect of development which would otherwise not require planning permission. You are advised to contact the Local Planning Authority Development Control Section telephone 01538 483550 before undertaking any other development in the future in order to ascertain whether planning permission is required.

3. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are

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protected until such time as they have left the nest.

4. The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.

5. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

• A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

• Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

• Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

• During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

• The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

• Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

• In accordance the Site Waste Management Plans Regulations 2008 any construction project with an estimated cost greater than £300,000 must, before work begins, prepare a Site Waste Management Plan in accordance with the requirement of these regulations.

• If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.

• Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.

• The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.

• Equally if during any site works a pathway for any contaminant on site is created and

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humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

• During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes

• The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

• Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

X JColley

Signed by: Jane Colley

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.