STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Alan Bloor
Reading Agricultural Consultants
Gate House
Beechwood Court
Long Toll
Woodcote
RG8 0RR

Mr Howarth
Lymford Farm
Tunstall Road
Bosley
Staffs
SK11 0PB

Application no: SMD/2017/0040

Determined on: 13/04/2017

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:
Lymford Farm Tunstall Road Cloud Side Staffordshire SK11 0PB

Description of Development:
Change of use of an agricultural building to dwelling

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 approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

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Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Before the commencement of further works, drawings of all proposed windows and doors for the dwelling hereby approved, drawn at a scale of 1:10, shall be submitted to and approved by the Local Planning Authority and the approved windows and doors shall be inserted and remain in the building for the lifetime of the development unless otherwise approved in writing by the Local Planning Authority. All windows and doors shall comprise a timber finish.

Reason:-
In the interests of the historic and rural character and appearance of the area.

4. Notwithstanding the details shown on the approved plans, the materials to be used in the development hereby permitted shall match in colour and texture those on the existing building.
Reason:-
In the interests of the historic and rural character and appearance of the area.

5. The development hereby permitted shall not be brought into use until the visibility splays shown on plan ref. no 1885-01/SK101 have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 1000 mm above the adjacent carriageway level.

Reason:-
In the interests of highway safety.

6. The parking area shown on the drawings hereby approved shall be maintained for the purpose of car parking associated with the dwelling hereby approved for the lifetime of the development and shall not be obstructed or used for any other purpose including outdoor storage.

Reason:-
In the interests of highway safety.

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7. Before the commencement of further works, a scheme of mitigation and compensation measures in respect of bats ("The Scheme"), to accord with the latest published Bat Conservation Trust Guidelines and Natural England requirements, shall be submitted to and approved in writing by the Local Planning Authority. This as a minimum shall set out seasonal timings of works and working methods and the development shall be implemented in accordance with The Scheme as approved by the Local Planning Authority 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:-
In the interests of the protection and enhancement of the ecological value of the site.

8. The development hereby approved shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in exact 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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows or any other openings shall be installed in any part of the development without express planning permission first being obtained from the Local Planning Authority.

Reason:-
In the interests of the appearance of the building and surrounding area and in the interests of residential amenity.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 or Part 2 Class(es) A and C 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 and to protect the residential amenities of neighbouring residents.

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11. The development hereby permitted shall not be commenced until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved in the first planting season following the first occupation of the development. These details shall include:
- Means of enclosure
- Hard surfacing materials

Soft landscape details shall include:
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason:-
To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

12. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

Reason:-
To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

13. The rainwater goods to be used in the development hereby permitted shall be cast metal and any rooflights shall be conservation style rooflights fitted flush with the roof covering unless the Local Planning Authority gives written consent to any variation.

Reason:
To protect the rural character of the building

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. 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, details of which can be obtained from Natural England at https://www.gov.uk/bats-protection-surveys-and-licences. Failure to carry out the requirements in accordance with the legislation risks offences being committed which

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could result in legal action including prosecution.

X B.J. Haywood

Signed by: Ben Haywood

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.