STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mrs Kym Wilson
Forefront Development Consulting
9 Britannia Park
North Road
Stoke-on-Trent
Staffordshire
ST6 2PZ

Mrs Middleton/R Timmis

Application no: SMD/2017/0005

Determined on: 20/04/2017

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:
Oaks Barn, Bagnall Road, Bagnall, Staffordshire Moorlands

Description of Development:
Proposed change of use from disused agricultural barn into 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 accordance with the details as submitted in the application form and submitted specifications and as shown in drawings: 16-138-03B; 16-138-04A; 16-138-05A and 16-138-07 (retained structure).
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

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3. Prior to the commencement of development including any site clearance and site preparation the existing extant built structure of the building as shown in drawing 16-138-07 shall first be propped and made secure in situ.
Reason: To ensure the safe retention of the remaining historic structure and to avoid risk of further collapse.

4. The existing extant built structure of the building as shown in drawing 16-138-07 shall be retained as existing within the development hereby approved and there shall be no demolition or rebuilding of these elements of the building unless otherwise agreed in writing by the Local Planning Authority (LPA).
Reason: In the interests of the integrity of the heritage asset and the appearance of the development and its setting and the amenities of the area.

5. Prior to the commencement of development a full schedule giving details of all the repair, renovation and alteration works to be undertaken including work to walls including a method statement for any taking down and rebuilding, making good and repointing, shall be submitted to the Local Planning Authority for approval and the works shall thereafter be undertaken in accordance with the details in the schedule as approved. Notwithstanding the details shown in drawing 16-138-03B the existing and re-instated ventilation slits shall be retained to appear externally visible with any glazing set to the interior of the openings.
Reason: In the interests of the integrity of the heritage asset and the appearance of the development and its setting and the amenities of the area.

6. Prior to the commencement of development – including any site clearance, stripping, site establishment and formation of new temporary or permanent access driveway – temporary protective fencing and advisory notices for the protection of the existing trees to be retained (whether within or beyond the site boundaries) shall be erected in accordance with the guidance in British Standard 5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations', and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the LPA.
Reason: In order to safeguard trees significant to the amenity of the area including trees protected by Tree Preservation Order.

7. Prior to the commencement of development – including any site clearance, stripping, site establishment and formation of new temporary or permanent access driveway – full details of all tree protection measures shall be submitted to and approved in writing by the LPA. Such details shall include full construction specification for a no-dig cellular confinement system for the proposed new permanent driveway if and where falling within any tree root protection zones as derived by reference to British Standard 5837:2012, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees on and adjacent to any part of the application site. Following cessation of the use of the access by all construction and materials delivery vehicles, any temporary ground protection measures provided shall be removed from site, and the new permanent driveway shall be constructed prior to the development being brought into use and

only in full accordance with details submitted to and approved in writing by the Local Planning Authority under this condition.
Reason: In order to safeguard trees significant to the amenity of the area including trees protected by Tree Preservation Order.

8. Prior to the commencement of development details of all landscaping including boundary treatments, surfacing, parking and turning areas and bin storage shall be submitted to the Local Planning Authority for written approval and shall be completed prior to first occupation in accordance with the design details as subsequently approved in writing.
Reason: In the interests of the integrity of the heritage asset and the appearance of the development and its setting and the amenities of the area.

9. Prior to the commencement of development details including types and colours along with samples if requested of all roofing materials, facing materials and hard surfaces shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as subsequently approved. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. A sample panel shall be completed on site which shall be inspected and approved in writing by the Local Planning Authority before development commences and shall remain on site during the period of construction.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

10. The sample wall panel required by the above condition 8 shall also demonstrate the masonry coursing structure. The development shall be carried out in accordance with the details of stone, coursing structure and mortar mix as subsequently approved in writing by the Local Planning Authority. The sample panel as approved in writing shall be retained on site and shall not be removed until such time as the external walls are complete.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

11. Prior to the commencement of development detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of the materials and proposed finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as subsequently approved in writing.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

12. The roof light details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be fitted in accordance with the details approved. The roof lights shall be of Conservation design standard and shall be designed to fit flush with the plane of the roof and the frame shall have a black finish. The glazed area shall be subdivided vertically.
Reason: To maintain the character and integrity of the building as a heritage asset.

13. Prior to the commencement of development detailed drainage plans for the disposal

of surface water and foul sewage shall be submitted to the Local Planning Authority for written approval. The scheme shall be implemented in accordance with the details as subsequently approved in writing, including any agreed phasing, before the development or such part which has been completed 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.

14. No external cowls, vents, ducts flues or extractor equipment whatsoever shall be installed at the premises hereby permitted without the prior written consent of the Local Planning Authority and soil pipes shall be accommodated internally within the design.
Reason: To maintain the integrity and appearance of the building and the visual amenities of the area.

15. 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 for a minimum distance of 5m back from the carriageway edge in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be surfaced in accordance with the approved details.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

16. The development hereby permitted shall not be brought into use until details of the parking and turning areas have been first submitted to and approved in writing by the local planning authority. The parking and turning areas shall thereafter be provided in accordance with the approved plans prior to the first occupation of the development and retained for the life of the development.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

17. Any gates to the driveway shall be set back a minimum distance of 5m rear of the carriageway edge and shall open inwards away from the highway.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

18. 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, doors or any other openings shall be installed in any part of the development hereby permitted unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason: To maintain the integrity and appearance of the building and the visual amenities of the area.

19. 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 Classes A; B; C; D; E; F; or G and Part 2 Classes A; B and C, other than those expressly authorised by this permission, 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, the integrity of the heritage asset and the setting of the adjacent Listed Building and to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

20. The rainwater goods to be used in the development hereby permitted shall be cast metal and finished black and shall be mounted on simple metal brackets unless otherwise agreed in writing by the LPA.
Reason: To maintain the character and integrity of the building as a heritage asset.

Informatives

1. A public footpath right of way passes the site and this must not be obstructed at any time during the development and must remain available for public use on foot at all times both during development and on completion. Should temporary closure or diversion be necessary to allow the works to proceed then application should be made to the Staffordshire County Council Public Rights of Way officer. Contact: Rights of Way, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford ST16 2DH. Email: rightsofway@staffordshire.gov.uk
Tel: (01785) 277244 or 277247

2. The surfacing of the access will require work in the public highway. Please note that prior to the works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)

3. The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraphs 186-187.

4. In the course of determining the application it has been advised to the applicant that this permission is founded in terms of planning policy on the non-designated heritage asset status considered inherent in the remaining extant building giving rise to Very Special Circumstances to justify the development within the Green Belt. Hence conditions 3 and 4 above.

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.

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.