STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Rob Ford
Parkside
Park Road
Leek
Staffordshire Moorlands
ST13 7NF

Mr G and Mrs J Clark
Longshaw Farm
Ashbourne Road
Leek
Staffordshire Moorlands
ST13 7NJ

Application no: DET/2017/0015

Determined on: 07/09/2017

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE

APPROVAL SUBJECT TO CONDITIONS

Staffordshire Moorlands District Council hereby **APPROVE** this application for **DETERMINATION** for

Conversion of agricultural building into three residential dwellings at Holly Dale Farm, Douse Lane, Bradnop

Subject to the conditions and limitations of Class Q and those listed below approval is given in accordance with the submitted application details and accompanying plans reference
HDB 01 site location and block plan
HDB 03 B floor plans as proposed
HDB 05 A elevations as proposed

for reason as follows: the proposal is found to accord with the conditions and limitations of the GPDO (2015) Schedule 2 Part 3 Class Q.

Conditions

1. If work has not begun before 31st March in any calendar year a further bat activity survey shall first be undertaken and the findings reported in writing to the LPA with recommendations for any necessary bat protection and avoidance measures to be approved in writing by the LPA and which shall subsequently be adopted and

implemented in the course of the development in accordance with the details as approved in writing by the LPA.
Reason: to ensure appropriate safeguard of protected species.

2. The existing extant built structures of the buildings hereby approved for conversion shall be retained as existing and there shall be no demolition or rebuilding of the structures save for the formation of the openings and room layouts as shown in the approved plans.
Reason: In the interests of the integrity of the building vernacular and the appearance of the completed development.

3. 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 taking down and rebuilding, making good and repointing, work to floors, ceilings and roof structure and treatment of demolition scarring shall be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be undertaken in accordance with the details in the schedule as approved. The existing ventilation slits shall be retained to appear externally visible with any glazing or other closure set to the interior of the openings.
Reason: In the interests of proper planning and in the interests of the integrity of the building vernacular and the appearance of the completed development.

4. Prior to the commencement of development the buildings and structures shown to be demolished in drawing HDB 01 shall be taken down and all materials arising shall be removed from the premises and the land restored to field grassland landscape in the location of the removed slurry tank.
Reason: to ensure satisfactory living conditions, amenity outlook and setting for the residential occupation of the building.

5. Prior to the commencement of development drainage plans for the disposal of surface water and foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in 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.

6. 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 proposed finishes shall 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.

7. The windows and doors of the proposed development shall be constructed of timber, and set back a minimum of 100mm from the exterior facing edge of the

stonework around the window / door opening.
Reason: To ensure that the development is of a design in keeping with the age and character of the building.

8. Prior to the commencement of development hereby permitted there shall be submitted for the written approval of the Local Planning Authority details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings. The development shall be implemented in accordance with the levels details as subsequently approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.
Reason: In order to ensure the satisfactory appearance of the development and its relationship to the site and adjoining land.

9. Prior to the commencement of development details of all boundary treatments both within and surrounding the site and all hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the design details as subsequently approved and thereafter retained.
Reason: In the interests of the visual appearance of the development and the amenities of the area.

10. There shall at no time in the life of the development be any physical sub-division of the external common yard area in front of the SE and SW facing elevations without the prior written consent of the Local Planning Authority.
Reason: in order to maintain the openness and rural character of the former farm yard setting.

11. 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.
Reason: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the building and the visual amenities of the area.

12. The roof light details shall be submitted to and approved in writing by the Local Planning Authority prior to installation and shall be fitted in accordance with the details approved. Roof lights shall be of Conservation 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 protect and enhance the appearance of the building and the area.

13. In the course of development 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.

14. 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.

15. The recommendations for biodiversity contained in the submitted ecological report at section 5 shall be implemented prior to the first occupation of any of the residential units hereby approved.
Reason: In the interests of biodiversity and proper safeguard for protected species.

16. The development hereby permitted shall not be brought into use until the visibility splay of 2.4mx90m to the south west has been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

17. At any time during and following the completion of the development hereby permitted all exterior lighting installations shall be erected only in accordance with the protocols contained in the Institute of Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and the Bat Conservation Trust’s “Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting” (2014).
Reason: To minimise disturbance by artificial light to protected species including bats and minimise sky-glow across the site.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason: To protect the character and appearance of this traditional farm building

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as may subsequently be amended or re-enacted) no gates, walls, fences or other means of enclosure normally permitted by Class A of Part 2 Schedule 2 to that Order shall be erected unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason: To protect the setting of this traditional farm building

20 .Rainwater goods shall be furnished in cast metal, painted black unless the local planning authority agrees to any variation in writing.

Reason: To protect the character and appearance of this traditional farm building

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Informatives

1. Bird Nesting / Swallows
The submitted ecology survey records evidence of swallows nesting in the application building. Swallows winter in North Africa and migrate to their breeding locations in Britain and Europe each spring often returning faithfully to the same sites. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. This level of protection applies to Swallows. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February or, in the case of Swallows from April, to late August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

2. Subject to condition 1 findings it is judged unlikely that Bats will utilise this building as a place of rest or shelter. 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 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. As advocated within the National Planning Policy Framework at paragraphs 186-187 negotiation with the applicant and agent allowed certain amendments to the details and plans as submitted to be made prior to the determination.

STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.