STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Mr Gareth Brain
Paynsley Hall Farm
Sandon Road
Cresswell
Staffordshire Moorlands
ST11 9QY

Application no: DET/2017/0022

Determined on: 21/09/2017

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

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE

APPROVAL

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

Proposed change of use of agricultural building to dwelling house at Barn at Paynsley Hall Farm, SANDON ROAD, CRESSWELL

in accordance with the submitted application, details and accompanying plans
2017-2231-03 and
2017-2231-02 revision A
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.

and subject to the following Conditions:

1. The existing extant built structures of the building 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 and the making good of exterior finishes.
Reason: In the interests of proper planning and compliance with the permitted development criteria and for the avoidance of doubt.

2. Prior to the commencement of development and notwithstanding the submitted information 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 thereafter be carried out in accordance with the details as subsequently approved.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

3. Prior to the commencement of development the buildings and structures shown to be demolished in drawing 2017-2231-02 shall be taken down and all materials arising shall be removed from the premises and the land restored to field grassland, or landscaped as garden where approved.
Reason: to ensure satisfactory living conditions, amenity outlook and setting for the residential occupation of the building.

4. 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.

5. Prior to the commencement of development detailed plans and sections of the proposed windows and doors including the depth of their recessing within the openings shall be provided at a scale of 1:20 and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the details as subsequently approved.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

6. 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 integrity and appearance of the building and the visual amenities of the area.

7. Prior to the commencement of development details of the roof light shall be submitted to and approved in writing by the Local Planning Authority and shall be fitted and thereafter retained in accordance with the details approved.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

8. 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 the Local Planning Authority for written approval. 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.

9. The existing boundary hedgerow to the south west boundary of the site alongside the access track shall be retained at all times as a native species hedgerow.
Reason: In the interests of amenity and the appearance and setting of the development in the rural area.

10. At any time during and following the completion of the development 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.

11. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working at Paynsley Hall Farm or other premises served by the access track from Sandon Road to the dwelling, or a widow or widower of such a person and to any resident dependants.
Reason: In order to minimise any increase in vehicular traffic using the access from the public highway at Sandon Road in the interests of Highway safety in compliance with SMDC Core Strategy DC1 and T1 and the NPPF paragraph 32.

Informatives

1. The site is within a High Pressure Pipe Line Buffer zone and you are therefore advised to consult prior to any work with plantprotection@cadentgas.com giving

- Full site address including nearest postcode or grid references
- Site plan highlighting area of works
- Full description of works
- Your company correspondence address and contact number

If you wish to speak to an advisor please call the Plant Protection team on 0800 688 588 opening hours are Monday to Friday 08:00 - 16:30

2. 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. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid 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.

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.

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.