STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr S and Mrs K Horton
Horton Barn
Kerry Hill Farm
Eaves Lane
Armshead
Staffordshire Moorlands
ST2 8NA

Application no: SMD/2017/0605

Determined on: 06/11/2017

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:
Horton Barn, Kerry Hill Farm, Eaves Lane, Armshead, Staffordshire Moorlands ST2 8NA

Description of Development:
Conversion of barn to demestic dwelling and demolition of redundant farm buildings.

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 approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings: 16PQ04E; 16PQ04L; 17PQ05 and 17PQ06
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.

2. The external material finish shall be the brick of the original structure with the exception of the breeze block element at the north westerly end of the building which shall have an off-white render finish.
Reason: To ensure that the works harmonise with the existing development.

3. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas 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.

4. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced in a bound 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 be surfaced and thereafter maintained 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.

5. Within 12 months of the first coming into use of the development the external landscaping as shown on drawing 16/PQ/04L shall have been completed.
Reason: In the interests of the appearance of the completed development.

6. The replacement gates shall be located a minimum of 5m rear of the carriageway boundary 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.

7. 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.

8. 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 prior written consent from the District Council as Local Planning Authority.
Reason: To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and to protect the visual amenities in the area.

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 development as specified in Part 1 Class(es) A; B; C; D; E; F and G and/or Part 2 Class(es) A and B 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 and the Green Belt.

10. The development hereby permitted shall be carried out in complete accordance with the details of the full extent of building dismantling and ground clearance along with details of

the subsequent landscaping to adjacent areas east and north of the buiding to be converted and boundary treatment approved pursuant to application DOC/2017/0035 unless the Local Planning Authority gives written consent to any variation.
Reason: to ensure satisfactory living conditions, amenity outlook and setting for the residential occupation of the building.

11. Prior to the commencement of development a method of working supported by further bat survey as necessary to accord with the then prevailing Bat Conservation Trust and Natural England guidelines shall first be submitted in writing to the Local Planning Authority for its written approval including details of the seasonal timing of work and arrangements for expert supervision by a suitably qualified bat ecologist in accordance with the recommendations of the submitted ecological survey Final Issue September 2016 by Charnia Ecology along with details of bat conservation measures to be followed during the course of the development and to be incorporated in the completed scheme. The development shall subsequently be undertaken and completed in accordance with the working methods and conservation measures as subsequently approved in writing by the local planning authority.
Reason: to safeguard the population of European Protected Species.

12. The development hereby permitted shall be carried out in complete accordance with the details 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 pursuant to application DOC/2017/0035. 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.

13. The development hereby permitted shall be carried out in complete accordance with the 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 pursuant to application DOC/2017/0035.. 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.

5. The windows and doors of the proposed development shall be constructed of timber, and set back a minimum of 75mm from the exterior facing edge of the brickwork around the window opening.
Reason: To ensure that the development is of a design sympathetic to the locality.

14. The development hereby permitted shall be carried out in complete accordance with the roof light details submitted to and approved by the Local Planning Authority pursuant to application DOC/2017/0035 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.

15. 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.

16. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. Prior to bringing the development into first use, soil used in the creation of garden and soft landscaping areas shall be tested for contamination to ensure suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writing by the Local Planning Authority and shall include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed. The results of the soil tests shall be submitted to and approved in writing by the Local Planning Authority. If soil test results indicates that a potential contamination risk exists, development shall not be brought into use, until a detailed remediation strategy to bring the site to a condition suitable for the intended purpose has been prepared and 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives

1. A public footpath right of way passes through 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 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 the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraphs 186-187.

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.