STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

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Mrs Proudlove
Higher Whitemore Farm Congleton Rd
Biddulph
Cheshire
CW12 3SB

Application no: DET/2017/0035

Determined on: 27/12/2017

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

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE AND DETAILS SUBMITTED APPROVED

APPROVAL

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

Change of use of agricultural building to form 2no. dwellings at Higher Whitemore Farm, Congleton Road, Biddulph

in accordance with the submitted application, details and accompanying plans listed below for the following reasons:-

- HWF/BP/01
- HWF/BP/02
- HWF/BP/03

1. The existing built structures of the building hereby approved for conversion shall be retained as existing and there shall be no demolition for 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.

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2. All external building materials shall match thoes of the existing building.
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 insertion of any fenestration, detailed plans and sections of the proposed windows and doors including, material, colour and the depth of their recessing within the openings shall be provided at a scale of 1:20 and submitted to and approved inwriting by the Local Planning Authority. The development shall be carried out and therefore retained in accordance with the details subsequently approved.
Reason:- To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of teh rural area.

4. No external cowls, vents, duct flues or extractor equipment, other than those hereby approved, shall be installed at the premises 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.

5. Prior to the commencement of development details of all boundary treatments both within and surrounding the site and all lndscaping 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 prior to first occupation of the development and thereafter retained.
Reason:- In the interests of the visual appearance of the development and the amenities of the area.

6. 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.

7. Rainwater goods to be used in the development hereby permitted shall be cast metal and finished black.
Reason:- In the interests of visual amenity

8. Prior to the commencement of development a scheme for ecological enhancements shall be submitted to and approved in writing by the Local

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Planning Authority. All approved enhancements shall be installed prior to first occupation.
Reason:- In accordance with policy NE1 of the NPPF.

9. 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 the building.

10. 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 Panning Authority.
Reason: To safeguard the appearance and character of the street scene,

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.