STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Chief Executive

Mr Ben Todd-Jones
Aaron Chetwynd Architect Studio
3 New Stables
Stafford
ST18 0RE

Mr and Mrs Granger
Barn Coyney Grove Farm
Werrington
ST9 0DL

Application no: SMD/2017/0379

Determined on: 16/02/2018

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:
Coyney Grove Farm Barn March Lane, Werrington Staffordshire ST9 0DL

Description of Development
Proposed extensions & alterations to existing semi-detached dwelling to provide link to existing barn scheduled for conversion

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 following submitted plans and subject to the following conditions and/or modifications:-

1583-100-C;
1583-120;

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1583-121-B.

Reason:- For the avoidance of doubt and in the interests of proper planning and in accordance with the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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, G and H other than those expressly authorised by this permission, shall be carried out within the site without express planning permission first being obtained from the Local Planning Authority.

Reason:- To enable the Local Planning Authority to control the development, safeguard the character and visual amenities of the area and in the interests of Green Belt policy compliance.

4. The development hereby permitted shall not be commenced until samples/details of the types and colours of all roof tiles and facing materials have been submitted to and approved in writing by the Local Planning Authority. Nowithstanding the detail shown on the approved plans the extensions hereby permitted shall be finished in brick or stone to match the existing building and not cedar boarding unless the Local Planning Authority gives written consent to any variation. The development shall be carried out in accordance with the approved details and be retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory.

5. Prior to the commencement of development, joinery details of all windows, doors and rooflights shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried outin full accordance with the approved details, completed prior to first use of the development hereby permtted and retained for the lifetime of the development.

Reason:- In the interests of good design and visual amenity.

6. Prior to the commencement of development the details and location of a new brick built bat roost (installed at the gable apex of the eastern or western gable elevation) shall be submitted to and approved in writing by the Local Planning Authority. The bat roost shall not be impacted by lighting and the submitted details shall also include the following;

- Timetablefor the installation of the bat roosting sites (showing how creation will be aligned with other phases of construction);
- Person responsible for installing the structure;
- Initial aftercare and long term maintenance of the artificial bat roost.

The approved written details shall be implemented in full prior to first occupation of the developmenthereby permitted and shall be retained for the lifetime of the development.

Reason:- To provide new roosting opportunities for crevive dwelling bats.

7. The demolition shall be undertaken in strict accordance with the Method of Working as set out on pages 18-20 of the Bat and Bird Survey of 29th August 2017 by S. Christopher Smith, submitted withthe application.

Reason:- In the interests of protected species.

8. In the event that contamination, including surface coal measures are is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing 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. The approved remediation scheme shall be implemented in full prior to the first occupation of the development hereby permitted.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

9. The windows and doors to be used in the development hereby permitted shall be fabricated in timber and set behind a 50mm reveal. The rooflights shall be conservation style rooflights fitted as flush as possible with the roof covering. The rainwater goods shall be cast metal and finished in black, and shall be retained as such in perpetuity unless the Local Planning Authority gives written consent to any variation.

Reason:- To ensure that the external appearance of the development is satisfactory.

Informatives

1. During the course of considering the application the council sought amendments to the proposals to ensure that the extensions and conversions were of a good design. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the National Planning Policy Framework.

2. The applicant is reminded that under the wildlife and Countryside Act 1981 as amended it is an offence to damage, remove or destroy the nest of any wild bird while that nest is in use of being built. Planning consent for a development is not a defence against prosecution under this Act.

3. It is possible that birds could nest in the stables/barn. In order that there is no disturbance to nesting birds this building is not to be converted between 1st March and the

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end of 31st August in any year unless a survey for nesting birds has been undertaken and it can be clearly shown that birds are not nesting in the building. If birds are nesting work cannot proceed until the young have fledged.

4. All bats are protected from harm under the Wildlife and Countryside Act 1981 as amended and Conservation of Habitats and Species Regulations 2010. It is an offence to recklessly cause harm to a bat. Building materials, in particular membranes used in roofing construction should not be of a type to cause injury to bats.

5. The applicant/developer is made aware that any planning permission granted does not construe the right to divert, extinguish or obstruct any part of the Public Right of Way crossing through the site.The developer will need to apply to under section 257 of the Town and Country Planning Act 1990. to divert the footpath to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

6. The applicant/developer is reminded that users of the Public Right of Way should stillbe able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs during, or as a result of, the development.

7. Please be aware that the responsibility for safe development and secure occupancy of the siterests with the developer.

• Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

• Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

• During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

• The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

• Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

• If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should

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Chief Executive

be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.

• Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.

• The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.
• Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

• During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes

• The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

• Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

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 BControl@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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Chief Executive

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.