STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Robert Watkins
Graham Watkins & Co
69 Derby St
Staffordshire
ST13 6JL

Mr Jones
Lilac Cottage Rudyard Road
Staffordshire
ST13 8PF

Application no: SMD/2017/0796

Determined on: 17/04/2018

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:
Land Opposite Lilac Cottage RUDYARD ROAD LEEK STAFFORDSHIRE

Description of Development:
Portal framed farm building

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 materials of the agricultural building hereby approved shall be in accordance with those stipulated at Section 9 of the approved application form.
   Reason:- To ensure that the works harmonise with the existing landscape character.

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3. Demolition and site clearance must not be carried out between 1st March to 31st August inclusive unless a check for breeding birds has been carried out by an ecologist. In the event that breeding birds are present no work should be carried out until the birds have finished breeding, and all dependent young have left the site.
Reason:- All breeding birds, nests, eggs and young are protected from harm under the Wildlife and Countryside Act 1981 as amended.

4. 1no. barn owl nesting box shall be constructed within the new building and 2no. 1SP Schwegler Sparrow Terrace nest boxes shall be installed on the north facing aspect of the new building. The installed nesting boxes should not be illuminated. Details of locations and height above ground level shall be submitted to and approved by the Local Planning Authority and shall be installed prior to first occupation of the building. All nesting boxes shall be installed and in accordance with the approved details, and all features shall be retained in that manor thereafter.
Reason:- National Planning Policy Framework (NPPF) 2012 - stipulates biodiversity gain resulting from development. Policy NE1 of the adopted Local Development Framework for the Staffordshire Moorlands advocates the protection and enhancement of biodiversity. House sparow and barn owl are priority speices for conservation action, as defined in the UK and Staffordshire Biodiversity Action Plans.

5. The development hereby approved shall be carried out in accordance with drawings titled 'North & South Elevation', 'East & West Elevation', 'Floor Plan' and 'Location plan'.
Reason:- For the avoidance of doubt.

6. If the building ceases to be used for agricultural purposes, the building shall be removed and the land restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented within 6 months of the date of the removal of the building.
Reason: The site is ina location where new buildings, other than those which are related to the rural ecomony will be permitted.

Informative

1. In resepct of condition 4, the nesting sites should be placed at least two metres or more above the ground. Once installed the house sparrow nest boxes should be maintained by cleaning out between 1st September and 1st January, with a check made to ensure that they are no longer in use by nesting birds prior to maintenance.

This application is consdiered to constitute a sustainable form of development and so accords with the objectives of the NPPF.

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X

Signed by: Jane Colley

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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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.
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