STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Ian Ankers
Ian Ankers Architecture
Rushton Spencer
Macclesfield
Cheshire
Staffordshire Moorlands
SK11 0RP

Messrs / Mesdames S, M and P Robinson
c/o Rock Hollow
Draycott-in-the-Moors
Stoke-on-Trent
Staffordshire Moorlands
ST11 9AQ

Application no: SMD/2018/0317

Determined on: 18/07/2018

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:
Totmonslow Farm, Draycott Road, Totmonslow, Upper Tean,
Staffordshire Moorlands ST10 4JJ

Description of Development:
Variation of conditions 3, 4, 7, 8, 9, 10, 11, 12, 14, 19, 20, 22, 24 and 26 relating to SMD/2017/0099

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 the permission granted on 18th May 2017 under refence SMD/2017/0099.
   Reason: To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. -

3. The development hereby approved shall be carried out in accordance with the submitted specifications and plans as follows: drawings referenced
TF-08A Barns 1 & 2 Ground Floor Plan as Proposed
TF-09B Barns 1 & 2 First Floor Plan as Proposed
TF-10A Barns 1 & 2 Site Plan as Proposed
TF-11C Barns 1 & 2 Elevations as Proposed (sheet 1)
TF-12 Barns 1 & 2 Elevations as Proposed (sheet 2)
TF-13A Barns 1 & 2 Sections as Proposed
TF-14B Barn 3 Floor Plans as Proposed
TF-15B Barn 3 Elevations as Proposed
TF-20C Site Plan as Proposed
TF-21 Site Block Plan as Existing
TF-LP Location Plan
Reason: To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

4. The existing extant built structures of the buildings comprising barn units 1, 2 and 3 as shown in drawing TF-20C shall be retained as existing within the development hereby approved and there shall be no demolition or rebuilding of these buildings unless otherwise agreed in writing by the Local Planning Authority (LPA).
Reason: In the interests of the integrity of the heritage asset and the appearance of the completed development and its setting and the amenities of the area.

5. There shall be no physical sub-division of the external amenity / garden space to the south side of units 1 and 2 without the prior consent of the Local Planning Authority.
Reason: in order to maintain the openness of the former farm yard setting of the barns and safeguard the historic integrity of the development.

6. The development shall be undertaken in accordance with the interior floor levels as detailed on drawings TF11C and TF12 and the relationship to exterior ground levels shall be retained as shown in drawings TF11C and TF12 and the internal and external levels shall thereafter be maintained.
Reason: in the interests of maintaining the historic integrity of the development.

7. Prior to the commencement of development of each plot, as shown on drawing TF-20C a full schedule giving details of all the repair, renovation and alteration works to be undertaken to that plot including work to walls including a method statement for taking down and rebuilding, making good and repointing, work to floors, ceilings and roof structure and treatment of demolition scarring shall be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be undertaken in accordance with the details in the schedule as approved for that plot. The existing ventilation slits shall be retained to appear externally visible with any glazing set to the interior of the openings.
Reason: In the interests of proper planning and maintining the integrity of the buildings as non designated heritage assets.

8. Prior to the commencement of development of each plot, as shown on drawing TF-20C (including any demolition, site clearance, stripping or site establishment) a plan shall be submitted for that plot for the written approval of the Local Planning Authority

to define the areas of existing trees and hedges to be retained and temporary protective fencing and advisory notices for the protection of the existing trees and hedges as approved by the LPA to be retained shall be erected for that plot in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and shall be retained in position for the duration of the period that development of that plot takes place, unless otherwise agreed in writing by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.
Reason: In the interests of the visual appearance of the development and the amenities of the area including mature trees and hedgerows.

9. Prior to the commencement of development of each plot hereby permitted drainage plans for the disposal of surface water and foul sewage for that plot shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the details as approved before the development of each plot 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.

10. Prior to the commencement of development of each plot hereby permitted there shall be submitted for the written approval of the Local Planning Authority details of the existing and proposed levels across that plot and relative to adjoining land, together with the finished floor levels of the proposed buildings. The development shall be implemented in accordance with the levels details as subsequently approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.
Reason: In order to ensure the satisfactory appearance of the development and its relationship to the site and adjoining land.

11. Prior to the commencement of development of each plot detailed plans and sections of the proposed windows and doors for that plot at a scale of 1:20 together with details of the materials and proposed finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall 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.

12. Prior to the commencement of development of each plot details of all boundary treatments both within and surrounding the plot and all hard landscaping for the plot 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.

13. The recommendations and mitigation including precautionary working methods set out

in the submitted ecological report at section 5 and in tables 5.1 and 5.2 shall be followed during the course of the development.
Reason: In the interests of biodiversity and proper safeguard for protected species.

14. Prior to the commencement of development of each plot a scheme for the provision of roosting opportunities for bats and nesting opportunities for wild birds including Swallows shall be submitted for the written approval of the Local Planning Authority and the scheme as approved shall be implemented prior to the first occupation of the development of that plot.
Reason: In the interests of biodiversity including the safeguarding of protected species.

15. All rainwater goods shall be of metal or wood to a profile the detail of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation.
Reason: In the interests of the visual integrity of the building.

16. 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.

17. The roof light details for each plot are to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and that plot and shall be fitted in accordance with the details approved. Roof lights shall be of Conservation standard and shall be designed to have a low profile fitting flush with the plane of the roof and the frame shall have a black finish. The glazed area shall be subdivided vertically.

    Reason: To maintain the character and integrity of the buildings.

18. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. All raking out shall be by hand tools not using mechanical means.
Reason: To maintain the character and structural integrity of the builing.

19. Plot 2 of the development hereby permitted shall not be brought into use until the access drive shown coloured yellow on drawing TF20 C to the rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the carriageway edge.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Core Strategy policy DC1 and T1; in the interests of highway safety.

20. The development of each plot hereby permitted shall not be brought into use until the access, parking, servicing and turning areas for that plot have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing 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.

21. 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 anti social hours.

22. The development of each plot, including demolition hereby permitted shall not take place until a Construction and Environmental Method Statement for that plot has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-

I. A scheme to minimise dust emissions arising from demolition/construction activities on that plot. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.

II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the plot;

III. a scheme for recycling/disposal of waste resulting from the demolition/construction works;

Once approved, all relevant activities on the site shall be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development of that plot. Any alteration to this Method Statement shall be approved in writing by the Local Planning Authority prior to any deviation from it.
Reason: To protect the amenities of the area from dust.

23. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.
Reason: To protect the amenities of the area.

24. In the event that contamination is found at any time when carrying out the approved development of each plot it must be reported in writing immediately to the Local Planning Authority. Development of that plot 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 plot ~~site~~. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not recommence 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 of that plot into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and approved in writing by the Local Planning Authority.
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.

25. No top soil or fill material associated with the development, is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validating evidence submitted to and approved in writing to by the Local Planning Authority.
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.

26. Prior to the first occupation of any of the units in plot 2 the buildings shown within plot 2 in drawing TF-20 C to be demolished shall have been demolished and removed and restorative landscaping in accordance with a scheme which shall have first been submitted to the LPA and approved in writing shall have been implemented.
Reason: in the interests of amenity and the appearance of the area.

27. 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, other than those shown on the approved drawings, shall be installed in any part of the development hereby permitted unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:- To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

28. 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 Classes A, B, C, D, E, F and G or Part 2 Class A 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 to ensure that adequate private open space is retained within the curtilages of the buildings.

Informatives

1. 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.

2. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

• A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

• 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 should 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 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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

• 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

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.

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.