STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr David Walker
Carrwood House
109 Shaw Heath
Stockport
SK2 6QH

Mr & Mrs Howarth
Lymford Farm Tunstall Road
Bosley
SK11 0PB

Application no: SMD/2018/0377

Determined on: 24/08/2018

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:
Lymford Farm Tunstall Road Bosley Staffordshire SK11 0PB

Description of Development:
Conversion of barn to residential use

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 complete accordance with the submitted amended plans and specifications as follows:-

0149-1000 Rev B
0149-1005 Rev A
0149-1006 Rev A

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0149-1007 Rev C 0149-1011 Rev A
0149-1011 Rev A
0149-1012 Rev A
0149-1013 0149-1015
0149-1016 Rev A

Reason:- To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. The development hereby permitted shall not be brought into use until the access drive to the front Barn parking area, 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 surfacing shall therafter be maintained for the life of the development.
Reason:-
In the interests of highway safety.

4. 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:-
In the interests of highway safety

5. Before the commencement of further works, a scheme of mitigation and compensation measures in respect of bats ("The Scheme"), to accord with the latest published Bat Conservation Trust Guidelines and Natural England requirements, shall be submitted to and approved by the Local Planning Authority. This as a minimum should set out seasonal timings of works and working methods and the development shall be implemented in accordance with The Scheme as approved by the Local Planning Authority unless subsequently amended by a Natural England European Protected Species (EPS) Licence in which case the work shall be implemented in accordance with the EPS Licence and in either event shall be implemented and retained as approved for the lifetime of the development.
Reason:-
In the interests of the protection and enhancement of the ecological value of the site.

6. 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 unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason:-
In the interests of the appearance of the building and surrounding area and in the interests of residential amenity.

7. 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, G and H or Part 2 Class(es) A and C 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 protect the residential amenities of neighbouring residents.

8. The planting scheme shown on Worthington Ashworth Jackson Walker "Site Plan Showing Proposed Landscaping" Drg. No. 0149-1016 Rev A shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees, shrubs, herbaceous plants and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.
Reason:-
In the interests of the appearance of the site.

9. The rainwater goods to be used in the development hereby permitted shall be cast metal finished black and any rooflights shall be conservation style rooflights fitted flush with the roof covering unless the Local Planning Authority gives written consent to any variation.
Reason:
To protect the rural character of the building

10. Details of any new hard-surfacing for the access drives and paved areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the hard-surfacing shall be installed in exact accordance with the approved details.
Reason:-
In the interests of the rural character and appearance of the area.

11. Prior to commencement of development elevational details of any gates, walls, fences or other boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority. No boundary treatments shall be installed except in complete accordance with the approved details.
Reason:-
In the interests of the rural character and appearance of the area.

Informatives

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

2. The confirmed presence of bats in the building proposed to be developed means that work can only take place if carried out in accordance with Natural England's licensing procedures for work which will affect European Protected Species, details of which can be obtained from Natural England at https://www.gov.uk/bats-protection-surveys-and-licences. Failure to carry

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out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

3. It is advised that in order to further reduce any visual impact of the domestic use of the barn and associated parking etc (eg 2 No. new "visitor parking" bays proposed close to Tunstall Road off the existing drive to the north-west of the farmhouse), would be to allow the existing field hedgerow along the full Tunstall Road boundary of the field to the north of the application site (blue-edged, in the applicant's control) to grow taller and be maintained at taller minimum height eg 2.0 - 2.5m. This would be a no cost, easy win measure which would also not disrupt open views from the barn but would be readily effective as the hedge is immediately alongside the linear viewpoint of the highway.

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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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.
13.