STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Robert Berry
Robert Berry
10 Truro Close
Congleton
CW12 3BD

Miss Williams
Bentley House Newtown Road
Biddulph
Staffordshire
ST8 7SW

Application no: SMD/2018/0262

Determined on: 24th September 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:
Bentley House Newtown Road Newtown Biddulph Staffordshire ST8 7SW

Description of Development:
Proposed conversion of barn to form ancillary living accomodation

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 permitted shall be carried out in accordance with the following approved plans: 1679-04; 1679-05

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

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3. Prior to the commencement of development, a method statement to avoid, mitigate and compensate for, the loss of the bat roost shall be submitted to and approved in writing by the local planning authority. Details shall include the licence holder and persons responsible for the works; methods; timing of works; monitoring; and location of compensatory roost sites on appropriately scaled plans. Works as recommended with the Arbtech Bat Survey and Emegerence Survey report dated 01/09/18 shall be carried out in accordance with these approved details and the compensation plan.

Reason: To avoid impacts on bats and compensate for the loss of a bats roost. To avoid offences under the Wildlife and Countryside Act 2018 and Habitat Regulations 2017.

4. Prior to commencement of development, joinery details are to be submitted to and approved in writing by the Local Planning Authority. The details shall include materials, colours, reveals, sections and opening casements. No development shall take place except in complete accordance with the approved details which shall thereafter be retained.

Reason:- To maintain the character and integrity of the building in accordance with Policy R2 of the Staffs Moorlands Core Strategy

5. Prior to commencement of development, details of rooflights are to be submitted to and approved in writing by the Local Planning Authority. Roof lights shall be designed to fit flush with the plane of the roof. No development shall take place except in complete accordance with the approved details which shall thereafter be retained.

Reason:- To maintain the character and integrity of building in line with Policy R2 of Staffs Moorlands Core Strategy

6. Prior to commencement of development, pointing details shall be submitted to and agreed in writing by, the local planning authority. No development shall take place except in complete accordance with the approved details which shall thereafter be retained.

Reason:- To maintain the character and integrity of the building in line with Policy R2 of the Staffs Moorlands Core Strategy

7. Prior to commencement of development, details of all rainwater goods, external drainage goods and soil pipes and means of ventilation on the visible elevations are to be submitted to and approved in writing by the Local Planning Authority. Details shall include: the materials to be used; colour of paint; means of ventilation; and any associated cowling. No development shall take place except in complete accordance with the approved details which shall thereafter be retained.

Reason:- To maintain the character and integrity of the building in line with Policy R2 of the Staffs Moorlands Core Strategy

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8. 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 Schedule 2, Part 1 Classes A-E and Part 2 Classes A-C, 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 curtilage of the building.

9. The accomodation hereby permitted shall remain ancillary to the existing dwelling known as Bentley House and shall at no time be sold, let or otherwise occupied as a separate unit of accomodation unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason: In the interests of amenity

Informative

1. The application has been assessed and determined in line with all relevant local development plan policies and other material considerations which includes the NPPF. The proposal is considered to represent a sustainable form of development and has been approved in line with pararaph 11 of the NPPF

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.

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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