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DISTRICT COUNCIL
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Chief Executive

Mr Gandolfo
Rudyard Manor Greenlane
Rudyard
Leek
ST13 8PN

Application no: SMD/2018/0131

Determined on: 25/09/2018

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:
Rudyard Manor, Green Lane, Rudyard, Staffordshire ST13 8PN

Description of Development:
Removal of condition 3 in relation to application SMD/2014/0585

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 permission referenced SMD/2014/0585.
   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:-
   Site and Location Plan 0834-5/A
   Proposed Plans and Elevations 0834-P/A
   Drainage plan 0834-NMS-2
   Block Plan 0834-B/A
   Reason:- To ensure that the development is carried out in accordance with the

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approved plans, for clarity and the avoidance of doubt.

3. Access to the converted farm building shall be gained soley through the existing access shared with Rudyard Manor.
Reason:- In the interests of highway safety.

4. 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 and/or Part 2 Class(es) A, B and 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.

5. The windows and doors of the proposed development shall be constructed of timber and set back a minimum of 150 mm from the edge of the brick/stonework around the window and door openings, unless otherwise agreed in writing by the Local Planning Authority.
Reason:- To ensure that the development is of a design sympathetic to the locality.

6. All rainwater goods shall be of metal or wood to a half-round profile with rise and fall brackets.
Reason:- In the interests of the visual integrity of the building.

7. The external facing to be used for the proposed development shall match those of the existing building and the roofing materials shall be a Staffordshire Blue plain clay tiles to match to those on the existing building.
Reason:- To ensure a satisfactory external appearance.

8. All pointing shall be of a strength and style appropriate to the type of walling material used (see Council leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing.
Reason:- To maintain the character and integrity of the building

9. Following investigation of the foundations of the building, should underpinning be required then details of the proposed underpinning of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works. Development shall be completed in accordance with the approved details
Reason:- In the interests of the protection of the integrity of the building.

10. No extenal lighting, including flood lights, shall be installed on the building without the prior consent in writing of the Local Planning Authority.
Reason:- To protect the appearance of the evening landscape.

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11. No part of the development hereby permitted shall be occupied until the works for the disposal of foul and surface water drainage have been provided in accordance with the approved plans.
Reason:- To ensure the proper drainage of the site.

12. Prior to the commencement of development detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds shall be submitted to and approved in writing by the Local Planning Authority. The approved features shall be permanently installed prior to the first occupation of the development hereby permitted and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of nature conservation

13 Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey shall be carried out to check for nesting birds and the results submitted to and approved in writing by the Local Planning Authority. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.
Reason: In the interests of nature conservation

13. In the event that contamination 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 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, submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in full before the development is first occupied.
Reason:- In the interests of present and future occupiers.

14. Prior to commencement of the works a percolation test demonstrating provision of adequate outfall to the proposed septic tank drainage is to be submitted to and approved in writing by the Local Planning Authority.
Reason:- To ensure adequate and safe handling of foul water for the site.

15. Prior to the first occupation of the development a residential curtilage / private amenity space shall be provided for the dwelling in accordance with plan number 0834-NMS-1 and he boundary between the curtilage of the new dwelling and the

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existing complex edged blue on that plan shall be defined with a boundary treatment details of which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The boundary treatment shall thereafter be retained.
Reason: To ensure adequate private amenity space

Informative

1. The development accords with the policies of the Staffordshire Moorlands District Council Local Plan and NPPF.

2. The Council has negotiated a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

3. The building has been repointed in the past in an inappropriate style and material. This pointing affects both the appearance and the integrity of the building and if left untreated may result in issues in the future. The strap pointing should be removed and the building repointed in a lime mortar of an appropriate style. All pointing shall be of a strength and style appropriate to the type of walling material used (see Council leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. A method statement should be completed and approved by the Local Planning Authority before development commences. A sample panel, at least one square metre, should be completed on site and be inspected and approved by the Local Planning Authority before development commences and should remain on site during the period of reconstruction.

4. The likelihood of Great Crested Newts occurring on site is low but it would be prudent to implement the following measures in addition in order to avoid the risk of harm to individual newts that could enter the site: All work should be carried out with care and vigilance for Great Crested Newts. If any are discovered, works must cease and a licensed ecologist contacted for advice before works resume. The small rubble piles should be dismantled by hand and removed from the site or ideally placed elsewhere on site where they can remain in perpetuity. Stored materials (that might act as temporary resting places) should be stored off the ground, e.g. on pallets. Waste materials, that could act as refugia, should be removed from the site. Any trenches and other excavations should be back-filled before nightfall or a ramp left to allow animals to easily exit.

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.
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