STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Application no: SMD/2018/0468

Determined on: 28/09/2018

**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:**
Green FarmM, Dam Lane, Biddulph Moor, Staffordshire Moorlands ST8 7LB

**Description of Development:**
Proposed partial re-building and renovation of dwelling house

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 accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
GF/DL/01/A
GF/DL/03/B
**Reason**: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. The external facing and roofing materials shall match in colour, form and texture those of the existing building using authentic natural stone for the walls and Staffordshire clay tiles for the roofs and there shall be no variation without the prior consent in writing of the Local Planning Authority.
**Reason**: To ensure that the works harmonise with the existing development.

4. 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.
**Reason**: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

5. All eaves and verges shall be formed from pointed stone work up to the intersection with the roof slopes to match the existing structure without recourse to box work or barge boards.
**Reason**: To protect and enhance the visual integrity and vernacular appearance of the building as a non-designated heritage asset.

6. All rainwater goods shall be of metal or wood to a profile suited to the building's heritage character.
**Reason**: To protect and enhance the visual integrity and vernacular appearance of the building as a non-designated heritage asset.

7. 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 and enhance the visual integrity and vernacular appearance of the building as a non-designated heritage asset.

8. The roof lights shall be of Conservation standard and shall be designed to fit flush with the plane of the roof slope and the frame shall have a black finish. The glazed area shall be subdivided vertically.
**Reason**: To protect and enhance the visual integrity and vernacular appearance of the building as a non-designated heritage asset.

9. All windows and doors (other than roof lights) shall be of timber fitted with a frame recess of 100mm from the plane of the exterior wall face.
**Reason**: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

10. No tree within the site shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
**Reason**: In the interests of the visual appearance of the development and the amenities of the area.

11. Within three months of the commencement of development (including any demolition, site clearance, stripping or site establishment) there shall be submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. Such a

scheme shall in particular provide for reinforcement of existing hedgerows and planting of new native species hedgerows, including standard trees, to the site boundaries and shall include full details of all new trees and shrubs, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved or its first occupation whichever is the earlier. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and be maintained for the lifetime of the development.
**Reason**: In the interests of the visual appearance of the development and the amenities of the area.

12. Within three months of the commencement of development details of all boundary treatments and hard landscaping, vehicular access, surfacing, parking and turning areas and bin storage shall be submitted to the Local Planning Authority and approved in writing and prior to the first occupation of the development shall be completed in accordance with the design details as subsequently approved in writing and thereafter be retained for the life of the development.
**Reason**: In the interests of the visual appearance of the development and the amenities of the area; to comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

13. Within three months of the commencement of development hereby permitted drainage plans for the disposal of surface water and foul sewage 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 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.

14. The development hereby permitted shall not be brought into use until the access drive 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 site boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be surfaced in accordance with the approved details.
**Reason**: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

15. The development shall take place incorporating a minimum of two purpose-made bat roost boxes on or integral to the building walls and positioned in accordance with the guidance specific to the product. The bat boxes shall be installed prior to the first coming into use of the development.
**Reason**: in the interests of maintaining biodiversity and to safeguard the population of European Protected Species.

16. Within one month following the first coming into use of the converted building a minimum of at least one sparrow 'terrace' nesting box shall be installed on the western side of the building to a height in accordance with the guidance specific to the product.
**Reason**: in the interests of maintaining biodiversity.

17. At any time during and following the completion of the development all exterior lighting installations shall be erected only in accordance with the protocols contained in the Institute of Lighting Engineers document "Guidance for the Reduction of Obtrusive Lighting" (2005) and the Bat Conservation Trust's "Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting" (2014).
**Reason**: to minimise disturbance by artificial light to protected species including bats and minimise sky-glow across the site and in the interests of the visual appearance of the development and the amenities of the area.

18. 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 other than those expressly authorised by this permission,, unless a further planning permission has first been granted on application to the Local Planning Authority.
**Reason**: In the interests of the integrity of the heritage asset and the appearance of the development and its setting and the amenities of the area.

19. 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 and Part 2 Classes A and B 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, to ensure that adequate private or shared amenity space is retained within the curtilage of the building and to protect the Green Belt.

20. The existing extant built structure of the building as shown in drawing GF/DL/02 shall be retained as existing within the development hereby approved and there shall be no demolition or rebuilding of these elements of the building 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 development and its setting and the amenities of the area.

**Informatives**

1. Based on the submitted professional ecology assessment it is judged unlikely that bats will utilise the buildings as a place of rest or shelter. However bats are protected by law and in the event that bats or bat droppings are encountered during the development work, all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the specialist advice

obtained and with due reference to the law including the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981.

2. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

3. 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. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraphs 186-187.

X B.J. Haywood

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**

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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.