STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr John Pryszlak
Architectural Services
Mill House Spring Bank
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Mr Brian Badger
Lady Green Farm
Huntley Road
Leek
ST13 7JX

Application no: SMD/2017/0661

Determined on: 18th January 2019

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:
Lady Green Barn, Huntley Road, Denford, Leek, Staffordshire, ST13 7JX.

Description of Development:
MATERIAL CHANGE OF USE FROM A MIXED USE OF DWELLING HOUSE AND BUSINESS WORKSHOPS (C3 & B1 OF THE USE CLASSES ORDER) TO A SINGULAR USE OF A SINGLE DWELLINGHOUSE (C3 OF THE USE CLASSES ORDER) CONSISTING OF AND INCLUDING THE PROVISION WITHIN A WORKSHOP OF ADDITIONAL LIVING ACCOMMODATION USED ONLY FOR PURPOSES ANCILLARY AND FUNCTIONALLY LINKED TO THE EXISTING DWELLINGHOUSE AT LADY GREEN BARN.

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. Notwithstanding the detail of any plan submitted with the application, the permission shall apply to the whole of the land, property and buildings that are shown edged red on the attached block plan that was received by the Local Planning Authority on the 17th January 2019. The development described above shall be carried out at the land, property and buildings shown within that red edge and they shall be occupied and used as one 'unit' where the singular and primary use of that 'unit' is that of the existing single dwellinghouse at

Lady Green Barn (Class C3 of the Use Classes Order). No building or smaller part of land, within that red edge shall be used, let or separately disposed of as an independent and standalone conern, where there would be no functional link with the existing dwellinghouse, without the Local Planing Authority first granting express planning permission.

Reason:- For the avoidance of doubt and the purposes of proper planning.

3. The works necessary to provide additional living accommodation within the building marked as 'EXISTING WORKSHOP' on the attached plan, shall be carried out only in accordance with the details shown on the drawing numbered 1730-02 that was submitted with the application. There shall be no demolition, dismantling or rebuilding carried out to the building without the further grant of planning permission by the Local Planning Authority.

Reason:- For the avoidance of doubt and the purposes of proper planning.

4. All window and door frames and solid door sections that are installed as part of the work to the 'EXISITNG WORKSHOP' shall be timber that is painted in just one of either of the following colours taken from the chart BS4800: Pale Greens coded 14-C-35, 12-B-21, or 16-C-35; or Greys coded 00-A-09 or 02-A-07.

Reason:- To ensure that the character and appearance of the existing building is respected and retained.

5. All of the window and door frames installed within the openings of the 'EXISTING WORKSHOP' shall be set back a minimum of 100 mm from the edge of the brickwork around the existing and reinstated openings.

Reason:- To ensure that the character and appearance of the existing building is respected and retained.

6. The roof lights that are to be installed within the roof of 'THE EXISTING WORKSHOP' shall be of a 'conservation' type and design that fit flush with the plane of the roof and have frames that have a black finish.

Reason:- To ensure that the character and appearance of the existing building is respected and retained.

7. The black rain water goods currently installed on the 'EXISTING WORKSHOP' shall be retained and maintained as such throughout the life of the development.

Reason:- To ensure that the character and appearance of the existing building is respected and retained.

8. Before the works to the 'EXISTING WORKSHOP' are complete and prior to it first being occupied and used as additional living accommodation, a minimum of two purpose-made bat roost boxes shall be incorporated into the building to be inserted as integral fixtures into the building's walls, positioned in accordance with the guidance specific to the product with one in the south east gable elevation and one in the south west elevation. The bat boxes shall be retained and maintained throughout the life of the development.

Reason: To safeguard the population of European Protected Species.

9. Before the works to the 'EXISTING WORKSHOP' are complete and prior to it first being occupied and used as additional living accommodation, three '9A Schwegler House Martin Nests' shall be located close together on a gable end of the building. A '1SP Schwegler Sparrow Terrace' shall be installed on the west or north facing aspect of the building . The nesting sites shall be placed at least two metres or more above the ground. The installed nesting sites shall not be illuminated. The house sparrow nest box once installed shall be maintainedby cleaning out between 1st September and 1st January, with a check made to ensure that it is no longer in use by nesting birds before maintenance.

Reason:- To ensure that development promotes appropriate maintenance, enhancement or restoration and/ or recreation of biodiversity through its proposed nature, scale, location and design. Providing net biodiversity gains where possible.

10. Once the works to the 'EXISTING WORKSHOP' have been completed and the conditions 3-9 of this planning permission have been complied with, the building shall be retained and maintained in that finished condition and appearance in full accordance with the drawn and written details shown on the approved drawing numbered 1730-02 . All external fittings, installations, colour and materials shall be maintained and retained in a good state of repair or reinstated with like for like replacements where they are damaged or removed. There shall at no time be any other alteration, improvement or enlargement made to the building without a further grant of planning permission from the Local Planning Authority. For the avoidance of doubt this restriction includes any alteration, improvement or enlargement of a type that would be permitted at a dwellinghouse by Part 1, Schedule 2, of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification).

Reason:- To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area.

11. Exterior lighting installations shall only be erected 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.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no gates walls or fences normally permitted by Part 2 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to 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.

13. The existing vent slots within the 'EXISTING WORKSHOP' shall be retained and infilled with either recessed blue brick or glazing.

Reason:- To ensure that the character and appearance of the existing building is respected and retained.

Informative

1. In determining this application for approval consideration has been given to the adopted Staffordshire Moorlands Core Strategy and to the National Planning Policy Framework. 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. Working with the applicant during the application process the authority sought to ensure that appropriate maintenance, enhancement or restoration and/ or recreation of biodiversity were secured. The application has thus been determined as advocated within the National Planning Policy Framework paragraph 38.

2. Based on the applicant's submitted specialist ecology report it is judged unlikely that Bats will utilise the parts of the building to be affected by the development. The applicant's survey has identified evidence of bats utilising the roof eaves and / or roof slope. 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.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive



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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.