STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Jason Knight
JPK Design
83 Dimsdale Parade East
Newcastle
Staffordshire
ST5 8DP

Mr Neale
Willgate Cottage Green Lane
Rudyard
ST13 8PN

Application no: SMD/2018/0787

Determined on: 13th February 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:
Willgate Cottage, Green Lane, Rudyard, Staffordshire ST13 8PN.

Description of Development:
Operations consisting of the alteration and enlargement of an existing garage building to provide additional or ancillary living accommodation at the existing dwellinghouse Willgate Cottage.

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 details shown on the drawings that were submitted with the application, the development permitted and described above shall only be carried out in complete accordance with the 1:1250 'Location Plan' and 1:500 'Block Plan' and the drawn and written details shown on the approved drawing sheet numbered JPK/18/4136/2 Rev A received by the authority on the 7th February 2019. There shall be no demolition, dismantling or rebuilding carried out to the existing garage building without a further grant of planning permission by the Local Planning Authority.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance

with the National Planning Policy Framework.

3. All window and door frames and solid door sections that are installed as part of the development shall be hardwood timber that is stained a dark brown colour to match those on the existing garage building and the dwellinghouse.

Reason:- To protect and enhance the appearance of the building and the area.

4. All of the window and door frames installed as part of the development shall be set back a minimum of 100 mm from the edge of the stonework around the existing and new openings.

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

5. The roof lights that are to be installed as part of the development 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 maintain the character and appearance of the existing building.

6. All rain water goods on the existing garage building shall be retained and maintained with a matt black finish.

Reason:- To protect and enhance the appearance of the building and the area.

7. Once the development is complete and the conditions 2-6 of this planning permission have been complied with, the existing 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 plan numbered JPK/18/4136/2 Rev. 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 existing 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.

8. The existing garage building shall only be used as additional living accommodation that is ancillary and functionally linked to the existing dwellinghouse at Willgate Cottage it shall not be let, separately disposed of, or otherwise occupied or used as an independent, separate dwellinghouse.

Reason:- For the avoidance of doubt and the purposes of clarifying that this planning permission is granted only for operational works and does not include or cover development that would consist of any material change of use.

9. 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.

Informative

It is judged unlikely that Bats will utilise this building as a place of rest or shelter. Nevertheless, in the event that bats or bat droppings are encountered during the development modifications 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.

In determining this application for approval consideration has been given to the adopted Staffordshire Moorlands Core Strategy and to the National Planning Policy Framework. With the amended drawing and specification received following negotiation with the applicant 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. The application has thus been determined as advocated within the National Planning Policy Framework paragraph 38.

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.