STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Dr E Gibson and Ms M Pcoinkova
Sprinks Farm
Blackwood House Lane
Horton
Leek
Staffordshire Moorlands
ST13 8QE

Application no: DET/2018/0041

Determined on: 21/02/2019

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER) (ENGLAND) 2015

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED APPROVED

Staffordshire Moorlands District Council hereby **APPROVE** this application for **DETERMINATION** for

Proposed change of use of agricultural building to a single dwelling at Sprinks Farm, Blackwood House Lane, Horton

in accordance with the submitted application, details and accompanying plans as amended reference:
2028.G.7; 2028G.8; 2028G.9; 2028G.10; 2028G.11, 2028.G.12, 2028.G.13 dated 07.02.2019

Subject to the following conditions:

1. Prior to the commencement of development a schedule of any proposed demolition and re-building shall be submitted to the Local Planning Authority for approval and the works shall thereafter be undertaken in accordance with the details in the schedule as approved. The existing ventilation slits shall be retained to appear externally visible with any glazing or infilling set to the interior of the openings.
Reason: In the interests of proper planning and maintaining the integrity of the building and its rural vernacular character in keeping with its age and heritage value.

2. Prior to the commencement of development detailed plans and sections of the proposed windows and doors to suitable scales in the range eg. 1:5, 1:10 and 1:20

as appropriate together with details of proposed materials and finishes and the depth of recess in the wall opening shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To protect and enhance the appearance of the building and the area.

3. The development shall be carried out in accordance with the advice and recommendations of the applicant's submitted Barn Owl Survey report v1.2 dated 20th March 2018 by Cheshire Ecology Ltd (the report) and in particular: it shall be ensured by inspection from a suitably licensed ecologist that no Barn Owls are nesting in the building when work begins and this confirmation shall be recorded in writing and be available to the LPA on request; a barn owl nest box/boxes shall have been in place as set out in the report recommendations at least 30 days before the development begins; on completion of the development a permanent barn owl nest box or nest chamber as set out at 6.5 of the report shall have been incorporated in the development and shall thereafter be retained for the life of the development.
Reason: in the interests of biodiversity and safeguarding a Schedule 1 Protected species.

4. The development shall be carried out in accordance with the advice and recommendations of the applicant's submitted Bat Activity Survey report v1.0 dated 22nd June 2018 by Cheshire Ecology Ltd (the report).
Reason: in the interests of biodiversity and safeguarding a European Protected Species.

5. All roofing materials shall be Staffordshire Clay tiles to match in colour size and texture those of the existing building and any additional exterior facing wall materials required shall be genuine stone to match in colour and texture that of the existing building.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

6. 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.

7. 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.

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. 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 the amenities of occupiers of adjoining properties, the integrity and appearance of the building and the visual amenities of the area.

10. 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.

11. 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 Part 2 Class A 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.

12. 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 commence 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, and is subject to the approval in writing of the Local Planning Authority. No development shall take place except in complete accordance with the approved scheme of remediation.

Reason: In the interests of the future health of the occupants and residential amenity.

X _____

Signed by: Jane Colley
On behalf of Staffordshire Moorlands District Council

Informatives

1. 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. In the case of a Schedule 1 species including Barn Owl which are known to be present in this building it is an offence to disturb the birds while nesting or building a nest or in or near a nest that contains dependant young or to disturb their dependant young. 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.

2. The confirmed presence of bats in the building proposed to be developed means that work can only take place if carried out in accordance with Natural England's licensing procedures for work which will affect European Protected Species. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

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 paragraph 38.

4. The applicant is advised that the development does not benefit from permitted development rights as specified in Schedule 2, Part 1 Classes A; B; C; D; E; F and G of the Town and Country Planning (General Permitted Development) Order 2015.

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 buildingcontrol@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