STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

Mr Callum McConnachie
ARKHI Architects Ltd
The Sorting House 6 Mill Street
Congleton
CW12 1AB

Dr Pears
3 Woodhouse Green Farm
Rushton Spencer
SK11 0RS

Application no: SMD/2018/0792

Determined on: 11th June 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:
Woodhouse Green Farm 3 Woodhouse Green Rushton Spencer Staffordshire SK11 0RS

Description of Development:
Conversion of agricultural stables into single residential dwelling, reducing footprint and volume of existing building.

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 with drawings numbered EX0 Rev A , EX02 Rev A, EX03 Rev A, EX04 Rev A, EX05 Rev A, PR01 Rev B, PR02 Rev B, PR03 Rev B, PR04 Rev B
   Reason:- For the avoidance of doubt.

3. All external building materials shall be in accordance with those stated on drawings

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numbered PR02 Rev B and PR03 Rev B as identified in condition 2
Reason:- To ensure that the building is of an acceptable appearance that sufficiently reflects local landscape character.

4. A bat emergence survey shall be carried out following best practice as advised in the report by Brindle & Green dated 6/7/2017. The survey shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
Reason:- To avoid impacts on roosting bats. All bats and their roost sites are protected under Conservation of Habitats and Species Regulations 2017.

5. Artificial lighting shall be fitted with downward pointing cowls, with no free standing lighting columns, and shall include the use of motion sensing and be time limited to avoid the time one hour after dusk and one hour before dawn. The use of artificial lighting must follow the protocols outlined in the institute for Lighting Engineers document ""Guidance for the Reduction of Obtrusive Lighting"" (2005) and Bat Conservation Trust's ""Articial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Articial
Lighting"" (2014) to minimise disturbance and sky-glow across the site.
Reason:- To minimise impact of foraging bats.

6. Site clearance must not be carried out between 1st March to 31st August unless a check for breeding birds has been carried out by an ecologist and the results submitted to and approved in writing by the Local Planning Authority.. In the event that breeding birds are present no work shall be carried out unless the birds have finished breeding, and all dependent young have left the site.
Reason:- All breeding birds, nest eggs and young are protected from harm under the Wildlife and Countryside Act 1981 as amended.

7. No development shall take place until a method statement for great crested newt has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include detailed working methods to avoid impacts on great crested newts, a timetable for implementation showing how they are aligned with different development phases, and persons responsible for implementing the works.
Reason:- Great crested newt is fully protected under the Conservation of Habitat and Species Regulations 2017.

8. The following biodiversity enhancements shall be incorporated within the scheme:
- 1SP Schwegler sparrow terrace within / on the south-eastern elevation of the building.
- Installation of 2 x 2FR Schweglar Bat Tubes into the building design.
These devices are designed to be included in the stonework of an external wall, or two Vincent Pro Bat boxes. Nest box and bat box design details and locations, persons installing nesting features, installation timing, plus maintenance details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. Nest boxes shall be installed strictly in accordance with the approved details and shall be retained in that manner thereafter.

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Reason:- Policy NE1 of the Staffordshire Moorlands Adopted Core Strategy: Ensuring development promotes appropriate maintenance, enhancement or restoration and/ or recreation of biodiversity through its proposed nature, scale, location and design. The application must meet the objectives of the National Planning Policy Framework (NPPF): Providing net biodiversity gains where possible.

9. A mixed hedgerow shall be planted on the north east boundary of the site in the first planting season following occupation of the development. The mix shall comprise 10% Hazel -Corylus avellana, 70% Hawthorn-Crataegus monogyna, 5% Holly -Ilex aquifolium10% -Blackthorn Prunus spinosa, 5% Dog Rose -Rosa canina. Hedge plants shall be 40-60cm transplants of locally common native species and of British provenance (preferably local) and shall comply to British Standard 3936. Hedgerows shall be planted with 6 plants per metre in two staggered rows, approximately 25cm apart with plants at approximately 45cm in each row. Hedgerow plants shall be protected with a hedge guard and secured by a cane or stake. Full details including methods of, establishment, remedial replacements, weed control, plus long-term aftercare shall be submitted to and approved in writing by the Local Planning Authority.
Reason:- Policy NE1 of the Staffordshire Moorlands Adopted Core Strategy: Ensuring development promotes appropriate maintenance, enhancement or restoration and/ or recreation of biodiversity through its proposed nature, scale, location and design. The application must meet the objectives of the National Planning Policy Framework (NPPF): Providing net biodiversity gains where possible.

10. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations

    08:00 - 18:00 hours (Monday to Friday);
    08:00 - 13:00 hours (Saturday)
    No working is permitted on Sundays or Bank Holidays.

    In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
    Reason:- To avoid risk of disturbance to neighbouring dwellings from noise during unsocial hours.

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 in Part 1 Class(es) A to H and Part 2 Class(es) A - 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.

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12. No development shall commence until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping for the site indicating inter alia the positions of all existing trees and hedgerows within and around the site, indications of any to be retained together with measures for their protection during the course of development, also the number, species, heights on planting and positions of all additional trees, shrubs and bushes to be planted.
Reason:- To ensure the appropriate landscape design and in the interests of the visual amenity of the area.

13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason:- In the interests of the visual amenity of the area.

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 an appropriate hard and durable material for a minimum distance of 5m back from the carriageway edge.
Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy DC1; in the interests of highway safety.

15. The development hereby permitted shall not be brought into use until visibility splays of 2m x 43m have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level.
Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

16. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor, connected to a surface water outfall, has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

Informative

1. A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements:
http://www.hse.gov.uk/ Any approved noise scheme and measurements should pay

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due regard to British Standard BS8233: Sound insulation and noise reduction for buildings
(Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.
During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456). If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12. Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land. The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and """"appropriate person"""". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination. Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment. During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes. The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site. Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

2. This application constitutes a sustainable form of development and so accords with the objectives of the NPPF.

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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.
13.