STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Miss Teodora Golemazhiyska
62 Carter Street
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Staffordshire
ST14 8EU

Mr & Mrs Bennett
Shaw Walls Farm Shaw Walls lane
Whiston
Staffordshire
ST10 2HS

Application no: DET/2018/0042

Determined on: 18th October 2019

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

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE AND DETAILS SUBMITTED APPROVED

APPROVAL

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

Proposed change of use of brick/stone barns to form 2 residential dwellings with assocaied private amenity space and parking at Shaw Walls Farm Shaw Wall Lane Whiston

in accordance with the submitted application, details and accompanying plans listed below:

- Amended Site & Location Plan (Ref: EB11/8)
- Elevations (Ref: EB11/4)
- Floor Plans Sheet 1 of 2 (Ref: EB11/2)
- Floor Plans Sheet 2 of 2 (Ref: EB11/3)

for the following reasons:-

1. The existing built structures of the building hereby approved for conversion shall be retained as existing and there shall be no demolition or rebuilding of the structures save for the formation of the openings and room layouts as shown on the approved plans and the making good of exterior finishes.

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Reason:- In the interests of proper planning, compliance with the permitted development criteria set out at Schedule 2, Part 3, Class Q, and for the avoidance of doubt

2. Prior to the insertion of any fenestration, detailed plans and sections of the proposed windows and doors including material, colour, and the depth of their recessing within the openings, shall be provided at a scale of 1:20, submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the approved details

Reason:- To ensure that the external apperance of the development is satisfactory and appropriate to the building and the character of the rural area

3. No external cowls, vents, ducts, flues or extractor equipment, other than those shown on approved plans, shall be installed at the premises without the prior written consent of the Local Planning Authority

Reason:- To protect the integrity and apperance of the building and the visual amenities of the area

4. Prior to the commencement of development, details of all boundary treatments within the site boundary shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and implemented prior to the first occupation of the development, and thereafter retained for the lifetime of the development

Reason:- In the interests of the visual apperance of the development and amenities of the area.

5. Prior to commencement of development, an appropriate Bird and Bat Mitigation Strategy, in line with the recommendations contained within the revised Preliminary Bat Roost and Bird Survey Assessment (June 2019) shall be submitted to and agreed in writing by the Local Planning Authority. Development shall take place only in accordance with the approved Mitigation Strategy.

Reason:- In the interests of ensuring that protected species and habitats are preserved and where possible enhanced

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent amendment) no extensions, alterations or buildings within the site curtilage normally permitted

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under Schedule 2, Part 1, Classes A-E to that Order shall be carried out unless a further planning permission has first been granted by way of an application to the Local Planning Authority

Reason:- To protect the character and apperance of the building

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 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.

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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.