STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr Whitehouse
The Ashes Farm
Easing Lane
Leek
Staffordshire
ST13 8UR

Application no: DET/2019/0027

Determined on: 28/10/2019.

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

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE AND BUILDING OPERATIONS REASONABLY NECESSARY

APPROVAL

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

Change of use of Agricultural building to 1 dwellinghouse at The Ashes Farm, Easing Lane Leek.

in accordance with the submitted application, details and accompanying plans listed below and subject to the following conditions:-

PL01D Site and Location Plans;
PL03D Plans Proposed.

1. The approval is granted subject to the conditions and limitations relevant to Class Q (a) and (b) as set out in the GPDO 2015 as amended including that the development under Class Q(a) and under Class Q(b) hereby approved must be completed within a period of 3 years starting with the date of this prior approval

Reason:- For clarity and the avoidance of doubt.

2. Prior to their installation joinery details (including materials and finish) of all external windows and doors including roof lights shall be submitted to and approved in writying by the Local Planning Authority. The development shall then be carried out in full accordance with the approved details and retained for the lifetime of the development.

Reason:- In the interests of good design and for the avoidance of doubt.

3. Any necessary new walling stone shall be selected to closely match in type, block size, colour and texture that of the existing building where it is to be inserted and any new roofing tiles shall match as closely as possible those of the existing building.

Reason:- In the interests of good design.

4. Prior to first use of the dwelling hereby approved, details of all walls, fences and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and thereafter the approved details shall be implemented before first occupation and retained for the lifetime of the development.

Reason:- To provide adequate privacy and an acceptable external appearance.

5. Prior to their installation, details of all rainwater goods including guttering and down pipes shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved details, be retained for the lifetime of the development and be completed prior to first occupation of the dwelling.

Reason:- To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area and in the interests of appropriate safeguard to the architectural and historic features of the building which define its design and external appearance.

6. The domestic curtilage of this development is restricted in amount to that allowed under the terms of GPDO 2015 Class Q and shall be contained within the areas identified as garden and parking as identified on the above approved plan.

Reason:- For clarity and the avoidance of doubt.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- To protect the character and appearance of the building and its setting.

8. Unless prior permission has been obtained in writing from the Local Planning Authority, all construction works 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.

Reason:- To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

9. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason:- To protect the amenities of the area.

10. Prior to the commencement of development, a copy of the EPS licence and mitigations strategies as agreed with Natural England 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:- In the interests of protected species and biodiversity enhancements.

11. Prior to the first use of the development hereby approved details including the location of replacement Swallow nests shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved development and be completed in full prior to first use of the dwelling hereby approved.

Reason:- In the interests of species protection and enhancement.

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

X

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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. The appllicant is advised that an EPS licence will be required from Natural England for all works affecting the building. This will need to include a comprehensive mitigation strategy for the loss of a summer roost for brown long eared and common pipistrelle bats.