STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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Application no: DET/2016/0027

Determined on: 08/07/2016

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED APPROVED

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

change of use of agricultural building to 2 dwellinghouses at BARN A, BAGNALL GRANGE FARM, TOMPKIN ROAD, STANLEY

in accordance with the submitted application, details and accompanying plans and with the following conditions:-

1. The development shall be carried out in accordance with the following submitted plans:

600-1
1343-04
1343-05

Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

2. The external doors and windows shall be of timber construction (i.e. not plastic) which shall be given a painted or stained finish in a dark or recessive colour and the timberwork shall be permanently so maintained thereafter.

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Reason:-
To ensure a satisfactory character and appearance of development in keeping with the site and its surroundings.

3. The proposed development hereby approved shall be carried out in accordance with the submitted Bat Survey Report 27-07-2015.

Reason:-
In the interests of the ecological value of the site.

4. 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 should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed 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. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason:-
To protect the site from pollution/contamination.

Informatives

1. The proposed development is considered to represent a sustainable form of development and thereby complies with the requirements of the NPPF.

2. Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.

3. Permitted development rights for the extension, alteration or enlargement of

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dwellings permitted under Class Q of the 2015 Town and Country Planning (General Permitted Development) Order have been removed under Class A.1 (a) of the Order.

4. It is judged unlikely that Bats will utilise this building as a place of rest or shelter. However bats are protected by law and in the event that bats or bat droppings are encountered during the development work, 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.

B.J. Haywood

Signed on behalf of Staffordshire Moorlands District Council

NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with Sections 78 & 79 of the Town & Country Planning Act, 1990, within six months of the date of the decision notice. Appeals must be made on a form which is obtainable from the Department of Transport, Local Government and the Regions, Planning Inspectorate, Temple Quay House, No. 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the Development Order, and to any directions given under the Order.

2. If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough or District Council or County Council in which the

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land is situated as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part 6 of the Town & Country Planning Act, 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town & Country Planning Act, 1990.