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DISTRICT COUNCIL
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Application no: DET/2019/0033

Determined on: 28.11.2019

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

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE

APPROVAL

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

Prior approval for a proposed change of use of Agricultural building to one dwelling house at Longhurst Farm, Dimmingsdale, Oakamoor

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

- Location Plan
- Block Plan
- Amended Proposed Elevations
- Amended Proposed Floor & Roof Plans

Subject to the following conditions:-

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.

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Reason:- For clarity and the avoidance of doubt

2 The development hereby approved shall be carried out in full accordance with section 5: Recommendations for bird and bat mitigation measures as set out within the Ecology Survey dated September 2019 submitted with the application or as stipulated by an Natural England European Protected Species (EPS) Licence in which case the work shall be implemented in accordance with the EPS Licence and in either event shall be implemented and retained as approved for the lifetime of the development.

Reason:- In the interests of preserving protected species and in the interests of providing an nett gain in biodiversity

3 The domestic curtilage of this development is restricted in amount to that allowed under the terms of the GPDO 2015 Class Q and shall be contained within the areas as shown on the approved Amended Floor Plan labelled amenity garden area and patio parking area, and nothing in this consent provides for any alteration or change in use to the land outside these areas.

Reason:- For clarity and the avoidance of doubt

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:- In the interests of preserving public amenity

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5 No development shall commence until details relating to joinery, rooflights, vents, flues and boundary treatment have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- In the interests of preserving the historic architectural features and to ensure conformity with the Design Principles SPD in the interests of good design

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

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently amended or re-enacted) no gates, walls, fences or other means of enclosure normally permitted by Class A of Part 2 Schedule 2 of that Order shall be erected unless planning permission has first been granted on application to the Local Planning Authority.

8. No development shall commence until details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location and species type and size of all soft landscaping and details for any hard surfacing. The development shall be completed in accordance with the approved hard landscaping details and the soft landscaping within the first available planting season following first occupation.

Informatives

1. The applicant is advised that a European Protected Species Licence will be required to undertake the works.

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X

Signed by: JaneC

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.

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.