STAFFORDSHIRE moorlands DISTRICT COUNCIL
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M2H Architectural Design
Lindisfarne Studios
31/33, Hartlebury Road
Stourport on Severn
Worcs. DY13 9JA

Sukhpal Singh-Bart

Application no: SMD/2019/0105

Determined on: 11/09/2020

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:
1 Chorley Mill P & J Antiques, West Street, Leek, Staffordshire ST13 8AF

Description of Development:
Change of use from B1 to large scale house in multiple occupation including part demolition to front two storey building, elevational changes to entrance, windows and roof.

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 in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
PJ/CM/P.08 – Location Plan
PJ/CM/P.07A – Site Plan
02319/P/02 rev A – Ground Floor proposal
02319/P/05 rev A – First Floor proposal

02319/P/03 rev B – Second Floor proposal
02319/P/04 – Elevation to West Street (front)
02319/P/05 – Rear elevation
West facing side elevation as shown on drawing PJ/CM/P.06
East facing side elevation as shown on drawing PJ/CM/P.06

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Notwithstanding the submitted drawings hereby approved and condition 2 the proposed east elevation window of ground floor studio room 8 shown on plan drawing 02319/P/02 rev A shall not be developed until elevation details showing this window have been submitted to and approved in writing by the Local Planning Authority (LPA). Development shall take place in complete accordance with the approved details
Reason: The window detail has not been shown in the submitted drawing for the east facing side elevation as shown on drawing PJ/CM/P.06

4. Prior to any development work above first floor ceiling level a Natural England protected species mitigation licence in respect of bats shall first be applied for from Natural England. In the event such licence is deemed by Natural England to be not required a scheme detailing measures for the accommodation of roosting bats within the development shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved in writing prior to the first occupation of the development.
Reason: In the interests of maintaining biodiversity and to safeguard the population of European Protected Species.

5. Prior to the commencement of development, including demolition of the timber and brick element on the front west facing elevation, a full schedule giving details of all the repair, renovation and alteration works to be undertaken to windows, roofs and walls including a method statement for renovation work to the metal windows, a method statement for any taking down and rebuilding and structural insertions and for all making good, treatment of demolition scaring, removal of paintwork and re-pointing, form and colour of render, details of window and door surrounds, cills and lintels including specific design details of the new external windows and doorways to be created and treatment of basement voids along with specific details of the second floor alterations in relation to the roof trusses which shall be retained in situ as existing shall be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be undertaken and completed prior to first occupation of the development in accordance with the details in the schedule as approved in writing by the Local Planning Authority.
Reason: In the interests of proper planning and ensuring the integrity of the building and its contribution to the character and appearance of the area as an asset of the Leek Conservation Area.

6. The development involving demolition hereby permitted shall not take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the LPA which shall include details of a scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The development shall take place in accordance with the Construction and Environmental Method Statement as approved unless otherwise agreed in writing with the LPA.
Reason: To protect the amenities of the area from dust.

7. 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 from dust.

8. Prior to the internal building works in the development hereby permitted drainage plans for the disposal of surface water and foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the details as approved before the development is first brought into use.
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

9. 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 the risk of disturbance to the very close neighbouring dwellings from noise during anti-social hours.

10. As shown in the submitted details and approved plans the stone staircase to the first floor from the ground floor doorway at the westernmost end of the front (north) elevation shall be retained in situ for the lifetime of the development.
Reason: For the avoidance of doubt and to maintain the integrity of the building and its contribution to the character and appearance of the area as an asset of the Leek Conservation Area.

11. Where new external facing materials are required these shall match the materials of the existing building in colour, form and texture and samples of the facing materials proposed to be used shall first be submitted to and approved in writing by the Local Planning Authority and the work shall be implemented in accordance with the details as approved.
Reason: To ensure that the external appearance of the development is satisfactory

and appropriate to the building and in the interests of the character and appearance of the Leek Conservation Area.

12. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. A sample wall panel shall be completed on site which shall be inspected and approved in writing by the Local Planning Authority before external facing pointing work begins and shall remain on site during the period of construction. The development shall be carried out in accordance with the details of pointing and mortar mix as subsequently approved in writing by the Local Planning Authority.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and in the interests of the character and appearance of the Leek Conservation Area.

13. Prior to the installation of all external new or replacement windows and doors detailed plans and sections of the proposed windows and doors at a scale of 1:20 and 1:10 or 1:5 as appropriate to the detail portrayed shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the details as subsequently approved in writing.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and in the interests of the character and appearance of the Leek Conservation Area.

14. No external cowls, vents, ducts flues, pipes or extractor equipment whatsoever shall be installed at the premises hereby permitted without the details first being submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the details as subsequently approved in writing.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and in the interests of the character and appearance of the Leek Conservation Area.

15. Prior to the installation of rainwater goods the details shall first be submitted to and approved in writing by the LPA and the rainwater goods shall be fitted in accordance with the details as approved which shall include details of the method of positioning and fixing.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and in the interests of the character and appearance of the Leek Conservation Area.

16. Prior to the alterations at second floor level the roof light details shall be submitted to and approved in writing by the Local Planning Authority and shall be fitted and thereafter retained in accordance with the details approved. The size and position of the roof lights shall replicate the known historic positioning currently evident internally.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and in the interests of the character and appearance of the Leek Conservation Area.

17. Prior to installation details of any external lighting proposed within the application site shall first be submitted to the Local Planning Authority and approved in writing and all external lighting shall thereafter be in accordance with the lighting details as approved.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and in the interests of the character and appearance of the Leek Conservation Area and street scene and to minimise disturbance by artificial light to protected species including bats and minimise sky-glow across the site.

18. Occupancy of the completed development shall at all times be limited to not exceed that permitted for the building as a large House in Multiple Occupation and the total number of occupants resident in the building shall not exceed 21 individuals whichever is the lesser.
Reason: To define the permission and in the interests of the amenity of occupiers and residential neighbours on account of the reliance on shared facilities, restricted living space, limited parking and absence of outdoor space.

19. Occupancy of ground floor studio room 8 as shown on plan drawing 02319/P/02 rev A shall be limited in duration for any one individual to no more than 28 consecutive days with no return by the same individual within 28 days.
Reason: The amenities of this room owing to its poor outlook and proximity to an adjacent building are not considered suitable for long term residential occupancy.

20. The lowest row of glazing panes in the front (north) facing first and second floor windows in the first position from the westernmost end and the lower two rows of glazing panes in all rear (south) facing windows at each floor shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.
Reason: To protect the amenity and living conditions of the adjacent or facing residential properties from overlooking or perceived overlooking.

21. The new ground floor external doorway to the extreme west end of the rear (south) elevation as hereby approved shall be regulated so that it is used as an emergency fire escape door only and not as a general exit or entrance. Prior to the first occupation of the development the door shall be fitted with measures to prevent it from being opened except in an emergency (e.g. a glass bolt) details of which shall be first submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be retained.
Reason: To protect the amenity and living conditions of adjacent neighbouring residents.

22 The development hereby permitted shall not be brought into use until the access

drive rear of the public highway has been resurfaced in a bound material for a minimum distance of 5m back from the site boundary in accordance with details to first be submitted to and approved in writing by the Local Planning Authority and in which material it shall thereafter be maintained for the life of the development
Reason: To comply with NPPF Paragraph 108; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

23. Before the development is first brought into use the bin store shall be constructed and parking provision laid out as shown in drawing PJ/CM/P.07A Site Plan.
Reason: In the interests of amenity and the appearance of the development.

Informatives

1. The confirmed presence of bats in the building proposed to be developed means that work can only take place if carried out in accordance with Natural England's licensing procedures for work which will affect European Protected Species details of which can be obtained from Natural England at https://www.gov.uk/bats-protection-surveys-and-licences. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

2. 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.

3. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

4. With regard to condition 17 and any external lighting proposed the guidance contained in the Institute of Lighting Engineers document "Guidance for the Reduction of Obtrusive Lighting" (2005) and the Bat Conservation Trust's "Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting" (2014) is recommended.

5. The proposed development is judged to be of suitable design and meets the tests

of sustainability in planning. With the amendments agreed and the conditions attached there are not judged to be any adverse implications for neighbours or wider public amenity and street scene. Amendments were agreed with the agent in the course of the determination in accordance with the approach to decision making as advocated in the National Planning Policy Framework at paragraph 38.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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 Council's Building Control Section at BControl@staffsmoorlands.gov.uk
2.
3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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

12. 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.

13. 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.