STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Robert Ford
Parkside Park Road
Leek
Staffordshire Moorlands
ST13 8JT

Messrs Taylor And Moss
Toft Lodge Farm
Heaton
SK11 0SJ

Application no: DET/2020/0042

Determined on: 25th September 2020

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

Conversion of an traditionally built former cubicle shed into a single storey detached dwelling house at Toft Lodge Farm, Rudyard Road, Heaton

in accordance with the submitted application, details and accompanying plans listed below for the following reasons:-

TRHQ 01
TRHQ 02
TRHQ 03

1. The existing extant 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 in the approved plans and the making good of exterior finishes.

   Reason:- In the interests of proper planning and compliance with the permitted development criteria and for the avoidance of doubt.

2. The external facing and roofing materials shall match in colour, form and texture those of the existing building and there shall be no variation without the

prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works harmonise with the existing development.

3. The windows and doors of the proposed development shall be constructed of timber and set back a minimum of 75/100 mm from the edge of the brickwork around the window opening, unless otherwise agreed in writing by the Local Planning Authority.
Reason:- To ensure that the development is of a design sympathetic to the locality.

4. All rainwater goods shall be of cast metal and finished black.

Reason:- In the interests of the visual integrity of the building.

5. Within three months of the date of commencement, details of all hard and soft landscaping, including boundary treatment shall be submitted to and agreed in writing by the Local Planing Authoirty. The landscaping and boundary treatment of the site shall be completed in accordance with the approved details within the first planting season following first occupation of the dwellinghouse.

Reason:- In the interests of the visual amenity of the area.

6. Unless prior permission has been obtained in writing from the Local Planning Authority, 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 neighbouring dwellings from noise during unsocial hours.

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.

8. 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 shall not commence further until an initial investigation and risk assessment has een completed in accordance with a scheme to be agreed in writing 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 recommence 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 submitted to and approved in writing by 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 shall be submitted to and approved in writing by the Local Planning Authority.

   Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

9. All soils that are intended to be used for the proposed garden/ soft landscaping areas shall be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writing by the Local Planning Authority and shall include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed.

   The results of the soil tests shall be submitted and approved in writing by the Local Planning Authority. If soil results indicates that a potential risks exists, soil shall not be brought onto site until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared and submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the first occupation of the development.

   Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

10. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive

locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason:- To protect the local amenities of the local residents by reason of excess of illuminance.

11. The foul drainage from the proposed development shall be discharged to a system which meets the requirements of British Standard (BS) 6297:2007+A1:2008 Code of practice for the design and installation of drainage fields for use in wastewater treatment

a) There shall no connection to any watercourse or land drainage system and no part of the soak away system shall be situated within 10 metres of any ditch or watercourse.

b) Porosity tests shall be carried out to demonstrate their suitable subsoil and adequate land area is available and the results submitted to and approved in writing by the Local Planning Authority prior to installation of the soakaway.

Reason:- To prevent pollution of the water environment

12. The development nereby permitted shall not be brought into use until details of the parking and turning areas have been first submitted to and approved in writing by the Local Planning Authority. The parking and turning areas shall thereafter be provided in accordance with the approved plans and retained for the life of the development.

Reason:- To comply with NPPF Para 108; to comply with SMDC Local Plan policy DC1 and T1 in the interests of highway safety.

13. 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, Part 2 class A and Part 20 of 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 area and the building.

14. Prior to the first occupation of the development hereby permitted a scheme of noise insulation shall be implemented in accordance with details to be submitted to and agreed in writing by the Local Planning Authority

Reason: To protect the amenity of future occupiers.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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.