

Mr Rob Duncan  
Rob Duncan Planning  
70 Ferndale Road  
Lichfield  
Staffordshire  
WS13 7DL

Mr Titterton  
Town Head Farm  
Foxt Road  
Foxt  
Staffordshire  
ST10 2HW

Application no: SMD/2021/0275

Determined on: 6<sup>th</sup> October 2021

**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:**

Town Head Farm, Foxt Road, Foxt, Staffordshire, ST10 2HW

**Description of Development:**

Conversion and alteration of stone agricultural building to form 1no. dwellinghouse

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The conversion works and operations necessary for the change of use that are hereby permitted and described above, shall only be carried out and completed in accordance with the approved plans referenced and numbered Site Plan and Location Plan v2; Proposed Elevations 1; Proposed Ground Floor Plan 2; and Proposed First Floor Plan 3, that were submitted with the application.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. Any external facing and roofing materials to be used in carrying out and completing the works 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.

4. All window and door frames, and solid door sections that are installed as part of the development hereby permitted shall be timber, the joinery details of which shall be first submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be painted in just one of either of the following colours taken from the chart BS4800: Pale Greens coded 14-C-35, 12-B-21, or 16- C-35; or Greys coded 00-A-09 or 02-A-07.

Reason:-To protect and enhance the appearance of the building and the area.

5. The roof lights that are shown to be installed as part of the works shall be of a 'conservation' type and design that fit flush with the plane of the roof and have frames that have a black finish. Rainwater goods shall be cast metal and finished in black.

Reason:- To maintain the character and integrity of the stone farm building.

6. All of the window casements and door frames installed as part of the development shall be set back a minimum of 100 mm from the edge of the stonework around the existing and reinstated openings. The timber windows shall be flush fitting casements only.

Reason:- To ensure that the character and appearance of the existing building is respected and retained.

7. Before the development is brought into use, the parking and turning space for two vehicles shown on the 'Site Plan and Location Plan v2' shall be provided with a loose stone surfacing and the space shall thereafter be retained, maintained and kept available, free from obstruction, for the parking of vehicles belonging to the occupants of or visitors to the new dwellinghouse throughout the life of the development.

Reason:- In the interests of protecting residential amenity and providing appropriate off road parking facility.

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 continue until an initial investigation and risk assessment has been 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. Prior to bringing the development into first use, 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, a detailed remediation strategy to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented 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 development shall be carried out incorporating a site specific scheme for protecting the proposed residential units from noise, that has first been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and be designed to achieve noise levels of less than 30dB LAeq in bedrooms (night time), 35dB LAeq in bedrooms (daytime), less than 40 dBLAeq in living areas and 50dB LAeq in outside living areas. A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To protect occupiers from noise and safeguard their residential amenities.

11. The development shall not be brought into use until the enhancements set out within section 5 of the 'Elite Ecology' report that was submitted on the 12<sup>th</sup> August 2021, have been implemented, and shall include the installation of:

- a. A minimum of 1 bird box
- b. 1 bat box
- c. Wildlife friendly planting within a scheme of landscaping to include a wildflower rich seed mix to be used for the lawn and the use of a native hedgerow in place of the proposed non-native laurel hedge. Climbers shall also be featured where feasible.

Reason:- To protect and enhance the ecology and biodiversity of the site.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, C, D, E, F, G and H and Part 2 Schedule 2 to that Order, other than those expressly authorised by this permission, shall be carried out at the property without express planning permission first being obtained from the Local Planning Authority.

Reason:- To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area.

**Informative**

The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours or wider public amenity and street scene. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraph 38.

X *B.J. Haywood*

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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 [BControl@staffsmoorlands.gov.uk](mailto:BControl@staffsmoorlands.gov.uk)
1. 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.
2. 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](http://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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.

8. 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.
9. 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>
10. 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.
11. 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.