STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Application no: DET/2021/0032

Determined on: 18/10/2021

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER) (ENGLAND) 2015

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED APPROVED

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

Change of Use of Agricultural Buildings to One Dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion at Lane Ends Farm Ashbourne Road Bradnop

in accordance with the submitted application, details and accompanying plans listed below

LAB 01 – site and location
LAB 04 – floor plans as proposed
LAB 05 – elevations as proposed

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.
Reason: for clarity and the avoidance of doubt.

2) The development shall take place incorporating the mitigation and enhancement measures for protected species all as detailed under the heading of 'Recommendations' at section 5 of the applicant's submitted ecological report by Elite

Ecology dated August 2020 or as stipulated by any 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: to safeguard the population of European Protected Species

3) The natural stone walls and clay tile roofing of the existing building shall be retained where existing with any necessary repairs made utilising matching materials only. The part of the building comprising block work walls shall be finished externally as stated in the submitted application details with a paint or render in 'stone' colour.
Reason: To protect the character and appearance of the building

4) Prior to the installation of any windows and doors the specific construction material and colour finish of all windows and doors shall first have been submitted for approval in writing by the local planning authority and shall thereafter be installed in accordance with the details as subsequently approved in writing by the local planning authority.
Reason: In the interests of the character and appearance of the building.

5) All windows and external doors shall be set behind a reveal of 100mm.
Reason: In the interests of the character and appearance of the building.

6) Prior to the installation of rooflights the details shall be submitted to and approved in writing by the Local Planning Authority and the rooflights shall thereafter be fitted in accordance with the details as approved. Roof lights shall be of Conservation standard and shall be designed to fit flush with the plane of the roof and the frame shall have a black finish. The glazed area shall be subdivided vertically.
Reason: In the interests of the character and appearance of the building.

7) Rainwater goods shall be furnished in cast metal, painted black unless the local planning authority agrees to any variation in writing.
Reason: In the interests of the character and appearance of the building.

8) The domestic curtilage of this development is restricted in amount to that allowed under the terms of GPDO 2015 Class Q being not greater than the ground plan area occupied by the building being converted and shall be contained within the two areas identified respectively as garden and yard on drawing LAB 03 hereby approved 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.

9) Boundary treatments shall be timber post and rail fencing and stone walling as shown on drawing LAB 03 and by the end of the first full available planting season November to March following the completion or the coming into use of the

development whichever is the earlier a native species hedgerow comprising at least 70% hawthorn 'whips' shall have been planted along the garden side of the post and rail fence shown on drawing LAB 03. The plantings shall be protected from grazing wild mammals or livestock by means of guards and mesh fencing. Any plants which die or are lost in the first five years following the completion of the planting shall be replaced with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and be maintained as a hedgerow for the lifetime of the development.
Reason: In the interests of the visual appearance of the development, biodiversity and the amenities of the area.

10) Within one month of the commencement of development a plan to define the parking and turning areas showing space for at least two vehicles to serve the development each space 2.4m x 4.8m within the application red edge shall have been submitted to the Local Planning Authority for approval in writing and the development shall not be brought into use until the spaces have been provided in accordance with the plan as approved. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas to serve the dwelling for the life of the development.
Reason: To comply with NPPF Paragraph 32; to comply with SMDC Local Plan policy DC1 and T1; in the interests of highway safety.

11) 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 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 of the building.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Informatives

- Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- •A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

- •Any approved foul drainage system should meet the British Standard6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment http://www.bsigroup.com

- •Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice),BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

- •Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free downloadhttp://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

- •During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

    - •The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councilshttp://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

    - •Building Research Establishment Guidance Document ‘Control of Dust from Construction and Demolition Activities’ (BR456)

- •If required, contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency

    - https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm
    - •Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
    - •The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that

should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.

- Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.
- During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes
- The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.
- Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Health Department and agreed in principle prior to site investigation works being undertaken. The Environmental Health Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

- 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.

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.