STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mrs Randles
The Old Rectory Holt Lane
Kingsley
Staffordshire
ST10 2BA

Application no: SMD/2020/0505

Determined on: 19/11/2021

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:
The Old Rectory Holt Lane Kingsley Staffordshire ST10 2BA

Description of Development:
Change of use to holiday let and conservatory extension

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 permitted shall be carried out in accordance with the following approved plans:
   - 2019-2442-03D
   - 2019-2442-02Q

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

3. No works to the external walls or roof shall take place until samples of the types and colours of all facing materials, tiles and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

   Reason:- To ensure that the external appearance of the development is satisfactory.

4. Prior to the insertion of any roof lights, details shall be submitted to and approved in writing by the Local Planning Authority. The roof lights should be designed to fit flush with the plane of the roof and the frame should have a black finish. The glazed area should be subdivided vertically. The development shall be undertaken in strict accordance with the approved details.
   Reason:- To maintain the character and integrity of the Listed Building.

5. Prior to the erection of the conservatory, joinery details shall be submitted to and approved in writing by the Local Planning Authority. Details should include: the recess depth of frame within the aperture; moulded timber sections; finish; opening mechanism; and glazing bar subdivision. The development shall be undertaken in strict accordance with the approved details.

   Reason:- To maintain the character and integrity of the Listed Building.

6. Prior to any work commencing on any of the windows and doors, joinery details showing doors and windows to be repaired/replaced, including details of re-use of historic ironmongery and position within the openings shall be submitted to and approved by the Local Planning Authority. Details should include: the recess depth of frame within the aperture; moulded timber sections; finish; opening mechanism; and glazing bar subdivision. The development shall be undertaken in strict accordance with the approved details.

   Reason:- To maintain the character and integrity of the Listed Building.

7. Prior to the insertion of any ventilation cowls and ducts, details including location, colour and size shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

   Reason:- To maintain the character and integrity of the Listed Building.

8. Prior to the occupation of the holiday let hereby approved, full details of all landscaping, including a timetable for implementation, boundary treatments and hard

surface treatments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken, prior to the first occupation of the development and implemented strictly in accordance approved details.

Reason:- To maintain the character and integrity of the Listed Building.

9. The holiday let hereby approved shall remain ancillary to the dwellinghouse known as 'The Old Rectory' and shall not be sold or disposed of separately.

Reason:- To ensure control can be maintained over guests and potential noise issues and to maintain the group of listed buildings under one ownership so as not to affect its significance.

10. The premises shall be used for short stay holiday accommodation not exceeding four weeks at any one time and for no other purpose including any purpose in Class C3 (dwelling houses) of the Town and Country Planning Use Classes Order 1987.

Reason:- The premises are not considered suitable for permanent residential occupation.

11. The development hereby approved shall be undertaken in strict accordance with Chapter 5: Recommendations and Mitigation of the amended 'Activity Survey for Bats' report produced by Absolute Ecology and dated October 2021. For clarifty, the amended report was emailed to the Local Planning Authority from Helen Station on 19th October 2021.

Reason:- To ensure that the development has an acceptable impact on bats.

12. Prior to the occupation of the holiday let hereby approved, details of the number and location of bird nesting boxes shall be submitted and approved in writing by the Local Planning Authority. The bird nesting boxes shall be erected in accordance with the approved details prior to the occupation of the building as a holiday let and shall be retained for the lifetime of the development.

Reason:- To provide nesting sites for birds displaced by the development hereby approved and to ensure the development results in a net gain in biodiversity.

13. All ocnstruction and delivery times shall be restricted to the following times:
• 08:00 - 18:00 hours (Monday to Friday);
• 08:00 - 13:00 hours (Saturday)
• No working is permitted on Sundays or Bank Holidays.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during

unsocial hours.

14. The development hereby permitted, including any demolition, shall not commence until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement should include the following details:-

I. 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.

II. a scheme for recycling/disposal of waste resulting from the demolition/construction works;

III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

IV. 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;

V. a scheme for recycling/disposal of waste resulting from the construction works;

VI. During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: To protect the amenities of the area.

15. 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: 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.

16. Prior to the installation of any external lighting, details of all artificial lighting shall be submitted to and approved by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and shall be retained in such a form for the lifetime of the development.

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

Informative

1. During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the development hereby approved did not adversely affect the curtilage Listed Building or the conversation of bats. It is therefore considered that the proposals meet the provisions of paragraph 38 of the NPPF (2021).

2. The applicant/developer is advised that as a bat roost is located within the building to be converted, a licence from Natural England must be obtained prior to the commencement of development.

3. 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 Standard 6297:2007+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, ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development 2017 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 download http://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 councils http://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 and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.

• 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.

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• 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 Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection 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.

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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 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 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.