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Mr & Mrs Gater

Application no: DET/2021/0033

Determined on: 23/11/2021

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

**PRIOR APPROVAL REQUIRED FOR CHANGE OF USE AND
BUILDING OPERATIONS REASONABLY NECESSARY**

APPROVAL

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

**An application to determine if prior approval is required for a proposed Change of Use
of Agricultural Buildings to Dwellinghouses (Class C3), and for building operations
reasonably necessary for the conversion at Greenway Hall Greenway Hall Road
Milton.**

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

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 hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

100421-001-P0 Ground Floor Existing (dated April 2021);
100421-002-P0 First Floor Existing (dated April 2021);
100421-003-P0 Existing Elevations (dated April 2021);

100421-004-P0 Ground Floor Proposed (dated April 2021);
100421-004-P0 As Proposed Location Plan (dated June 2021);
100421-005-P0 First Floor Proposed (dated April 2021);
100421-006-P0 Proposed Elevations (dated April 2021);
GGL-EDJ-0114-1103

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

3. 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, AA, B, C, D, E, F, G and H and/or Part 2 Class(es) A, B, C, D, E and F other than those expressly authorised by this permission, shall be carried out 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, and to ensure that adequate private open space is retained within the curtilage of the building.

4. The development hereby permitted shall not be brought into use until the parking area has been provided in accordance with Planning Drawings 100421-004-P0 and 100421-005 P0 and shall thereafter be retained for the life of the development.

Reason: In the interests of highway safety.

5. 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.

6. The development, including demolition hereby permitted shall take not place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall 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. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;

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

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

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.

Reason: To protect the amenities of the area from dust.

7. 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 recommence 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 carried out must 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.

8. 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, development shall not commence until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted 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.

9. Prior to its installation, details shall be submitted to and approved in writing by the Local Planning Authority of any proposed external artificial lighting including luminance levels and positioning of the lighting units. The development shall then be carried out in strict accordance with the approved details.

Reason: To protect the local amenities and any wildlife by reason of excess of illuminance.

10. Prior to first occupation of the residential accommodation hereby approved, a site specific scheme for protecting the proposed residential units from noise shall be 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 35 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and 55dB 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. The approved scheme shall be implemented in full prior to first occupation of the building and shall remain for the lifetime of the development.

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

11. Prior to first occupation of the dwelling hereby approved, details of all hard and soft landscaping including any proposed boundaries, shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping and boundary treatment shall then be carried out in accordance with the approved details and completed prior to first occupation and retained for the lifetime of the development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:- In the interests of visual amenity.

12. Notwithstanding the above approved plans and prior to their installation, joinery details of all external windows and doors as well as the balcony feature shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include (but not necessarily be limited to) materials, colour/finish, opening mechanisms and recess depth of the frame within the aperture. The windows and doors shall be installed in accordance with the approved details and be retained for the lifetime of the development.

Reason:- In the interests of visual amenity.

13. In the event of any external brickwork, stone or tiles needing to be replaced, the replacements shall match in colour, form and texture those of the existing building unless agreed in advance and in writing with the Local Planning Authority.

Reason:- In the interests of visual appearance.

14. Prior to their installation, details of all rainwater goods including guttering and down pipes shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved details, be retained for the lifetime of the development and be completed prior to first occupation of the dwelling.

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

Informative

The Developer is reminded of their obligations under the provisions of Part I of the Wildlife and Countryside Act 1981 as amended in respect of protected species and their habitats. Failure to comply with the obligations of the Act could constitute a criminal offence.

X 

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
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.