

Russell Johnston

Mr Wayne Maxted
The Methodist Church
Endon Road
Norton Green

Application no: DET/2021/0042

Determined on: 20/01/2022

**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 from Offices to a Residential Dwelling at Norbury House
St Edward Street Leek**

in accordance with the submitted application, details and accompanying plans:
1:1250 and 1:500 site plans with application site marked by red edge
Proposed plans at 1:50 and elevations at 1:100

Subject to the following conditions:

1. Development must be completed within a period of 3 years starting with the prior approval date.
Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (As Amended)
2. The dwelling hereby permitted shall remain in use as a dwelling and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.
Reason: To comply with the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (As Amended)
3. Conversion and alteration of the building to a dwelling shall not take place until a site specific scheme for protecting the proposed residential unit from noise, has been submitted to, and approved in writing by the Local Planning Authority and the scheme has been implemented as approved. 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 (23:00 to 07:00) 35 dB LAeq in bedrooms (07:00 to 23:00), less than 40 dBLAeq in living areas (07:00 to 23:00) and less than 50dBa in garden areas (07:00 to 23:00). A report shall be produced containing all raw data and showing how calculations have been made to derive the scheme. A copy of such report shall be submitted to the Local Planning Authority and approved in writing.

Reason: to protect the living conditions of residential occupiers from noise disturbance from surrounding commercial premises.

4. Parking and turning space for at least two vehicles shall be retained for those purposes within the development site red edge for the life of the development.

Reason: in the interests of highway safety.

Informatives

1. A demolition or refurbishment **asbestos survey** and **risk assessment** should be carried out prior to the alterations and conversion work hereby approved. 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/>

2. 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.

3. You are reminded of your responsibilities under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 in respect of any protected species that may inhabit the site including bats. In the event that bats or bat droppings are encountered prior to or during the development all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the advice obtained. There may be a requirement for a Protected Species Licence to be obtained before the proposed development can continue. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

4. 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. Discussion took place with the agent and applicant in the course of the determination in accordance with the

approach to decision making as advocated in the National Planning Policy Framework at paragraph 38.

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.