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Knowsley Farm
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ST9 9NB

Application no: SMD/2021/0221

Determined on: 02/02/2022

**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:

Knowsley Farm Knowsley Road Stanley Staffordshire ST9 9NB

Description of Development:

Conversion of a former milking parlour into ancillary residential accommodation.
Reconstruction of existing boot room with thermal structure and construction of a small side extension. The alterations to the existing dwelling serve to extend and improve the existing 3rd bedroom and bathroom accommodation

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 approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:

AS(0) 01 rev A – site plan

AS(0) 03 P2 proposed site block plan

AS(0) 07 P6 proposed plans
AS(0) 08 P3 N and S elevations
AS(0) 09 P3 E and W elevations
AS(0) 11 P1 garage alterations
AS(0) 12 P1 drainage plan

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. The external facing and roofing materials shall be as stated in the application using Staffordshire blue fired clay tiles to match in colour, form and texture those of the existing building for all roofing including to the detached garage and shall retain existing brick exposed as existing save for the use of applied render to the existing farm house as shown in drawings AS(0) 08 P3 and AS(0) 09 P3 hereby approved and there shall be no variation without the prior consent in writing of the Local Planning Authority. The walls to the detached garage shall be clad externally in timber in accordance with drawing AS(0) 11 P1 prior its first coming into use.

Reason: To ensure that the works harmonise with the existing development and / or are appropriate to the function and location.

4. The development shall take place incorporating the mitigation measures and in accordance with the working methods all as detailed at paragraphs 4.5 to 4.11 inclusive in the submitted document, Further Survey of Building for Bats, ref MR/210814 by Apex Ecology dated 18th Aug 2021 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.

5. The detached garage in drawing AS(0) 11 P1 shall be retained as a garage for the life of the development hereby approved.

Reason: To comply with NPPF paragraph 108; to comply with SMDC Local Plan Policies DC1 and T1; in the interests of highway safety.

6. Any gates shall be located a minimum of 5m rear of the carriageway boundary.

Reason: To comply with NPPF paragraph 108; to comply with SMDC Local Plan Policies DC1 and T1; in the interests of highway safety.

7. Notwithstanding the submitted development site shown by red edge in drawings AS(0) 01 rev A – site plan and AS(0) 03 P2 – proposed site block plan hereby approved nothing in this permission shall be taken as conferring consent for residential use of any of the land which falls in line between the west elevation of the detached garage and the road boundary to the west.

Reason: for the avoidance of doubt and because the land referred to in this condition 7 is part of a field in the open countryside and in the Green Belt and not part of the residential planning unit or residential curtilage of the dwelling at Knowsley Farm.

8. At any time during and following the completion of the development all exterior lighting installations shall be erected only in accordance with the protocols contained in the Institute of Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and the Bat Conservation Trust’s “Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting” (2014).

Reason: to minimise disturbance by artificial light to protected species including bats and minimise sky-glow across the site.

9. The accommodation hereby approved shall be used solely for purposes ancillary to the enjoyment of the existing dwellinghouse and shall not be sold, let or otherwise occupied at any time as a separate dwelling or unit of accommodation.

Reason: in the interests of amenity

Informatives

1. The confirmed presence of bats in the building proposed to be developed means that work can only take place if carried out in accordance with Natural England’s licensing procedures for work which will affect European Protected Species details of which can be obtained from Natural England at <https://www.gov.uk/bats-protection-surveys-and-licences>.

Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

2. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

3. 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. Amendments were agreed with the agent 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 BControl@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.