STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr David Evans
DEP Architects
College Field Farm Dorrington Lane
Market Drayton
CW3 9RT

Mr Webb
Whiston Hall Glof Club Black Lane
Whiston
ST10 2HZ

Application no: SMD/2019/0527

Determined on: 21st February 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:
Whiston Hall Golf Club Black Lane Whiston Staffordshire ST10 2HZ

Description of Development:
Completion of existing structures to form two holiday lets

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:
   - TL/WGC/2021/1 received on 03/01/2021
   - TL/WGC/2021/2-B received on 03/01/2021
   - TL/WGC/2021/5 received on 03/01/2021

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

3. The development hereby permitted shall not be commenced until samples/details of types and colours of all facing materials 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. The rooflights hereby approved shall be 'conservation' style with a veritcal dividing bar and shall be fitted flush with the existing roof slope.

   Reason:- To ensure the character and appearance of the replacement building is acceptable.

5. The windows and external doors of the development hereby approved shall be fabricated in timber and painted and set behind a 75mm reveal. The windows and external doors shall be retained in such a material thereafter.

   Reason:- To ensure the appearance of the building is acceptable and reflects the character and appearance of the building that was previously demolished.

6. The premises shall be used for short stay holiday accommodation not exceeding four weeks at any one time and there shall be no return by any person(s) within 8 weeks. The premises shall be used for no other purpose including any purpose in Class C3 (dwelling houses) of the Town and Country Planning Use Classes Order 1987 and shall not be sold, let or otherwise occupied as any person(s) sole or main place of residence. A register of persons staying at the premises, the duration of their stay and their main place of residence shall be maintained at all times for inspection by the Local Planning Authority upon request.

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

7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, no fences, gates or walls shall be erected within the curtilage of the application site, without first obtaining express permission from the Local Planning Authority.

   Reason:- To safeguard the amenities of the area.

8. The development hereby permitted shall not be commenced until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:-

- Means of enclosure
- Hard surfacing materials
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Details to comply with achieving a net gain in biodiversity, as outlined within the Preliminary Ecology Appraisal dated August 2019 by Wright Environment Limited
- Implementation timetables

Reason:- To ensure an appropriate landscape design, in the interests of the visual amenities of the area and to achieve a net gain in biodiversity.

9. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

   Reason:- To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

10. The development hereby approved shall be undertaken in accordance with the recommendations, as detailed within chapter 6 of the Preliminary Ecology Appraisal dated August 2019 by Wright Environment Limited.

    Reason:- To ensure the development does not adversely affect protected species or their habitats and to achieve a net gain in biodiversity.

11. Prior to the erection of the roof of the building hereby approved, details (including drawings indicating their locations) shall be submitted to and approved by the Local Planning Authority that indicate how the development will achieve a net gain in biodiversity. The details shall be guided by those measures contained within chapter 6 of the Preliminary Ecology Appraisal dated August 2019 by Wright Environment Limited. The approved measures shall be implemented prior to the building being brought into use.

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Reason:- To ensure the development does not adversely affect protected species or their habitats and to achieve a net gain in biodiversity.

Informative

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the design of the building was acceptable and complemented the character and appearance of the now demolished barns and the adjacent farm complex, and to ensure the gardens were of a size appropriate to the proposed use and did not encroach into the adjacent golf course. It is therefore considered that the proposals meet the provisions of paragraph 38 of the NPPF.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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.