

Miss Catherine O'Toole
Pegasus Group
The Priory
5 Old London Road
Sutton Coldfield
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Marstons
c/o Agent

Application no: SMD/2021/0472

Determined on: 09/03/2022

**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:

170 Boat Inn Basford Bridge Lane Cheddleton Staffordshire ST13 7EQ

Description of Development:

Alteration to outbuilding to block up basement access, removal of tree and replacement roof tiles on adjacent shelter structure.

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:

Site location 1:1250 with red edge

0221/15285/P-EL revision A

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. At the commencement of the development the building shall be structurally propped as necessary in accordance with a construction method statement which shall have been prepared by a qualified structural engineer to ensure a safe and controlled repair to the building avoiding its collapse. The development hereby approved shall be carried out to completion in accordance with the construction method statement as prepared by the qualified structural engineer.

Reason: To ensure the retention and safe repair of the building in accordance with the submitted details and approved plans.

4. The development shall take place in accordance with the recommendations and mitigation strategy as set out at pages 3, 4 and 5 of the applicant's submitted Bat Survey Report June 2021 by Focus Environmental Consultants.

Reason: In the interests of biodiversity and to safeguard the population of protected species.

5. The external facing wall material required for infilling of the window opening in the east elevation as hereby approved shall be natural stone which shall match in colour, form and texture the stone of the existing building. All roofing shall be finished externally in blue clay tiles which shall match in colour, form and texture the tiles of the existing building. There shall be no variation in these materials without the prior consent in writing of the Local Planning Authority.

Reason: To ensure that the works harmonise with the existing development and are appropriate to the Caldon Canal Conservation Area at this location.

6. The existing quoin stones and lintel to the window opening in the east elevation hereby approved to be walled up shall be retained in corresponding positions in the repaired wall. In fill stone work shall be recessed by a minimum of 50mm relative to the outer wall face of the elevation and shall be of a block size and coursing structure to match that of the existing building.

Reason: To ensure that the works harmonise with the existing development and are appropriate to the building and the Caldon Canal Conservation Area at this location.

7. All pointing shall be of a strength and style appropriate to the stone walling material used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing.

Reason: To ensure that the works harmonise with the existing development and are appropriate to the building and the Caldon Canal Conservation Area at this location.

8. Prior to the first coming into use of the building following the development hereby approved and / or following the substantial completion of the development hereby approved whichever is the earlier the dual pitched roof of the attached adjacent canopy structure off the northerly gable shall have been re-roofed in tiles as shown on drawing 0221/15285/P-EL revision A hereby approved and in accordance with materials condition 5 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the character and appearance of the development including in the interests of the character and appearance of the Caldon Canal Conservation Area at this

location.

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. Attention is drawn to the requirements of The Party Wall Etc Act 1996 in relation to development close to the boundary of the application site.
4. The applicant is advised that any works on or oversailing the Caldon Canal or any other Canal and River Trust property will require the prior consent of the Canal and River Trust. The Canal and River Trust is likely to require all such works to comply with the Trust's current Code of Practice for Works Affecting the Canal and River Trust. Please contact the Trust's Infrastructure Services Team for further advice and to ensure that all necessary consents are obtained. Please contact Sue Higton, Works Engineer, at susan.higton@canalrivertrust.org.uk or on 07484 901304 in the first instance.
5. 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.S. 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.