STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Ms Maria Kelsall
The Old Orchard
Castle Hill Road
Alton
ST10 4AJ

Application no: SMD/2020/0653

Determined on: 23/03/2022

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:
The Old Orchard Castle Hill Road Alton Staffordshire ST10 4AJ

Description of Development:
Conversion of domestic outbuilding to form a holiday let

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:
RC0021 – 002 revision 7 – proposed plans and elevations
Site red edge plan in drawing RC0021 – 004 revision 1
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. Unless otherwise agreed in writing with the Local Planning Authority all windows and doors shall be finished externally in painted timber the colour of which shall be agreed in writing by the Local Planning Authority prior to fitting and the fames shall be recessed in the wall openings by a minimum of 100mm relative to the external wall face.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character and appearance of the Alton Conservation Area and setting of the adjacent Listed Building.

4. Prior to the insertion of the imitation stable door with window in the north elevation facing the roadside verge detailed joinery plans and sections of the proposed frame structure and glazing to suitable scales in the range eg. 1:5, 1:10 and 1:20 as appropriate together with details of proposed finishes shall be 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 and appropriate to the building and the character and appearance of the Alton Conservation Area and setting of the adjacent Listed Building.

5. All rainwater goods shall be of metal or wood affixed by the support of rise-and-fall brackets without the use of barge board mountings.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character and appearance of the Alton Conservation Area and setting of the adjacent Listed Building.

6. No external cowls, vents, ducts flues or extractor equipment whatsoever shall be installed at the premises hereby permitted without the prior written consent of the Local Planning Authority.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character and appearance of the Alton Conservation Area and setting of the adjacent Listed Building.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as subsequently may be amended or re-enacted no rooflights other than the two shown on the south facing roof slope of the development hereby approved in drawing RC0021 – 002 revision 7 shall be fitted during the life of the development.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character and appearance of the Alton Conservation Area and setting of the adjacent Listed Building.

8. Before the proposed development hereby approved is brought into use, adequate parking shall be provided in line with parking standards by providing a minimum two spaces for the existing dwelling and one space for the proposed garage conversion to holiday let generally in accordance with submitted drawing RC0021-004 P1. The parking layout shall thereafter be retained for the purposes of parking two vehicles for the existing dwelling and one vehicle for the holiday let for the life of the development.

Reason: To comply with NPPF Paragraph 108; to comply with SMDC Local Plan Policy DC1, T1 and appendix 8 parking standards; in the interests of highway safety; in the interests of the free flow of traffic past the site.

9. The development hereby approved shall only be used as additional living accommodation that is ancillary and functionally linked to the existing dwelling house at The Old Orchard and it shall not be let, separately disposed of, nor otherwise occupied or used as an independent separate dwelling house other than being let for holiday visitors in accordance with condition 10.
Reason: For the avoidance of doubt and for the purposes of clarifying that this planning permission is granted only for operational works and does not include or cover development that would consist of any material change of use within the planning unit beyond that of holiday letting.

10. The building premises subject of the development hereby approved shall be used for holiday accommodation, for up to a maximum period of six months by any one party with no return of the same party within six months and (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as subsequently may be amended or re-enacted) for no other purpose (including any other purpose under Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended)). A register of occupants including details of duration of stay and home address must be kept by the owner / proprietor of the premises and made available for inspection by the Local Planning Authority upon request at any time in normal office hours.
Reason: the building premises subject of the development hereby approved are not considered suitable for permanent residential occupation.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Panning Authority.
Reason: To protect the character and appearance of the Building within the Conservation Area and to protect the amenity of neighbouring occupiers.

Informatives

1. 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 and birds. It has been judged unlikely that protected species would be at risk as a result of this development and hence further supporting survey information has not been required prior to the determination. 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.

2. You are reminded that the tree (a Copper Beech) growing in the adjacent roadside verge is protected by effect of the Alton Conservation Area designation. Should any work such as pruning be needed to this tree you must first give notice in writing to Staffordshire Moorlands District Council in accordance with Conservation Area legislation. You are also advised that this tree is likely to be the property of Staffordshire County Council as area Highways Authority.

3. Severn Trent Water advise that there may be a public sewer located within the application site. Although their statutory sewer records do not show any public sewers within the site area specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert Severn Trent assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact Severn Trent at the earliest opportunity to discuss the implications of the sewer assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

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. 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

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

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.