STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Hughes
New Houses
1 Kerry Hill
Stoke on Trent
Staffordshire
ST2 8NA

Application no: SMD/2020/0491

Determined on: 19th April 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:
Launders Bank Farm Eaves Lane Armshead Staffordshire ST2 8LY

Description of Development:
Replacement farm dwelling

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:
   - Revised Location Plan
   - Revised Site Plan

- Proposed Replacement Farmhouse

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

3. The external walls of the dwellinghouse hereby permitted shall not be commenced until samples/details 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 development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details. There shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

5. Prior to the construction of the roof of the dwellinghouse hereby approved, a scheme of landscaping shall be submitted to and approved by the Local Planning Authority. The landscaping scheme shall include planting plans, written specifications, schedules of plants including species, plant sizes and planting numbers/densities; hard surfacing materials; details of boundary treatments and lighting

Reason:- To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

6. 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.

7. Prior to the first occupation of the farmhouse hereby approved, the existing

farmhouse shall be demolished. The material arising from the demolition shall be recycled in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority. The land on which the former farmhouse stood shall be restored in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and the restoration works hereby approved shall be implemented in full prior to the occupation of the dwellinghouse hereby approved.

Reason:- The permission is for a replacement dwellinghouse and therefore the original farmhouse has to be demolished in order to comply with Green Belt policy.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, D, E and F and Part 2 Class A, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:- The dwellinghouse comprised inappropriate development in the Green Belt and was only approved due to Very Special Circumstances. Permitted Development Rights have been removed to ensure the openness of the Green Belt is maintained.

9. Prior to the erection of the dwellinghouse hereby approved, a scheme of carbon saving measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and shall be completed prior to the occupation of the dwellinghouse hereby approved. The agreed measures shall be retained for the lifetime of the development.

Reason:- To ensure the development is sutainable and energy efficient.

10. Prior to the construction of the dwellinghouse hereby approved, a scheme of biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but shall not be limited to, the measures outlined within Chapter 4 of the Bat and Bird Activity Survey produced by Charnia Ecology and dated September 2021. The approved measures shall be implemented in full prior to the occupation of the dwellinghouse hereby approved, unless alternative timings are first agreed in writing by the Local Planning Authority.

Reason:- To ensure the development achieves a net gain in biodiversity.

12. The development hereby approved shall be undertaken in accordance with the mitigation measures outlined in Chapter 4 of the Bat and Bird Activity Survey produced by Charnia Ecology and dated September 2021.

Reason:- To protect existing protected species and birds.

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Informative

The application was approved contrary to officer recommendation because it was considered to represent an improvement to amenity and comply with Policy D1 – (Support the rural economy); and Policy H1 (new housing). This considered to be a sustainable form of development and so complies with the provisions of the NPPF (2021).

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.