STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

C/O Agent

Application no: SMD/2017/0701

Determined on: 30/06/2022

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:
Ivy House Farm Rownall Road Wetley Rocks Staffordshire ST9 0BT

Description of Development:
Retrospective rebuilding of stone barn and proposed conversion into two dwellings. The erection of a detached garage. The demolition of two agricultural buildings

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 provided in exact accordance with the following approved amended plans, including the materials specified and the landscaping of the site including the provision of native hedges on the site boundaries:

2015-2033 08F
2015-2033 15B
2015-2033 10G

2015-2033 14C
2015-2033 16C
2015-2033 17A
2015-2033 19A
2015-2033 26
2015-2033 27
2015-2033 28
Jacksons Traditional Featherboard boundary treatment
Hormann Style 2013 Caxton Garage Doors
Mitre Topped Wooden Garden Gate
Bradstone Autumn Green Paving
Marley Countour In Line Vents
The Rooflight Company Conservation Rooflight drawing no. CR_CRCS_LS_C

Reason:-
To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3.The landscaping scheme planting detailed in drawing 08F shall be undertaken in the first planting season after the development is first brought into use. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.
Reason:-
To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area and also to achieve a Net Biodiversity Gain.

4.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no additional windows or any other openings shall be installed in any part of the development, without without express planning permission first being obtained from the Local Planning Authority.
Reason:-
To protect the visual amenities in the area.

5.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) AA,A to H or Part 2 Class(es) A to C shall be undertaken without express planning permission first being obtained from the Local Planning Authority.
Reason:-
To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area and to protect the residential amenities of

neighbouring residents.

6.Before the development is brought into use, the works outlined in ""Heritage Impact Assessment - Barn at Ivy House Farm, Rownall, 27th June 2018 prepared on behalf of JCM Group Holdings Ltd"" shall be completed.
Reason:-
To protect the character and appearance of a listed building.

7.Pointing works shall be undertaken in accordance with a sample panel to be inspected by and approved in writing by the Local Planning Authority before the pointing works are undertaken.
Reason:-
To protect the character and appearance of a listed building.

8.Before any external lighting is installed, details of the lighting shall be submitted to and approved in writing by the local planning authority and shall be installed in exact accordance with the approved details.
Reason:-
In the interests of the character, appearance and setting of listed buildings.

9.Before the development is brought into use, Building B and Building D and the Lean-to on the eastern elevation of Building A as shown on drawing 08F shall be demolished in their entirety and the demolition materials shall be removed from the areas of land edged red and blue in the location plan. The footprint of Building B shall be grassed over before the development is first brought into use.
Reason:-
In the interests of the character, appearance and setting of listed buildings.

10.Any new facing and roofing materials on Building A shall match those of the existing building in terms of type, size of stones and tiles, texture and colour.
Reason:-
In the interests of the character, appearance and setting of listed buildings.

11.The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter mintained in a bound and porous material for a minimum distance of 5m back from the carriageway edge in accordance with the approved plans. The surfacing shall thereafter be maintained
Reason:-
In the interests of highway safety.

12.The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:-
In the interests of highway safety.

13.Before the commencement of works including demolition works, tree protection fencing shall be installed around all trees within the application sites and within 10m of the application sites in exact accordance with BS5837:2012 and retained throughout the demolition and construction periods.
Reason:-
In the interests of the character and appearance of the area.

14.Before the development is brought into use, surface water drainage and foul drainage/treatment for the proposed dwellings shall be provided in exact accordance with details to be submitted to and approved in writing by the local planning authority.
Reason:-
In the interests of ensuring adequate environmental health, residential amenity and the ecological value of the site.

15.Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

"" 08:00 - 18:00 hours (Monday to Friday);
"" 08:00 - 13:00 hours (Saturday)
"" No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.
Reason: -
To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

16.Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be a least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. If there are multiple tankages, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
Reason:-
To prevent pollution of the water environment.

17.Prior to bringing the development into first use, all soils that are intended to be used for

the proposed garden/ soft landscaping areas shall be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writing by the Local Planning Authority and shall include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed. The results of the soil tests shall be submitted and approved in writing by the Local Planning Authority. If soil results indicates that a potential risks exists, soil shall not be imported until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the development being brought into use
Reason:-
To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

18.In the event that contamination, including surface coal measures are is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development shall not recommence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall notre commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the development being brought into use
Reason:-
To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

19.The development hereby approved shall be undertaken in accordance with Section 5.3 and Appendix 1 of the Eyebright Ecology Bat Activity Survey and Mitigation Report - June 2022, including the timings of works, unless varied by a European Protected Species licence subsequently issued by Natural England. The bat boxes, wall roost, bat loft in the proposed garage, barn owl access point in Building A and sparrow nest boxes, outlined in Section 5.3 and Appendix 1 of the report shall be provided before the development hereby approved is brought into use. The barn owl box outlined in the same parts of the report shall be provided before the demolition of Building D shown in the site plan.
Reason:-
In the interests of the ecological value of the site.

20.Before the development is brought into use, all invasive plant species (Himalayan Balsam) shall be removed from the site.
Reason:-
In the interests of the ecological value of the site.

Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer:

"" A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

"" Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

"" Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment http://www.bsigroup.com

"" Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

"" During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

"" The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

"" Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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"" If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.

"" Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.

"" The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and ""appropriate person"". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.

"" Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

"" During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes

"" The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

"" Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

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.

12. Domestic sprinklers
    Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install.
    Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building.
    The chance of an accidental discharge is 16,000,000:1
    If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

13. Working smoke alarms correctly positioned in your home can save your life.
    The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month.
    Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.