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Application no: SMD/2021/0796

Determined on: 02/12/2022

**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 Barn Smithy Lane Farley Staffordshire ST10 3BQ

Description of Development:

Conservation of Listed Building and Change of Use as guest accommodation, 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 works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:-

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004 and Section 18 of the Listed Buildings Act.

2. The development hereby approved shall be provided in complete accordance with the submitted amended plans and specifications as follows:-

PL001 A received on 29.9.22

PL002 A received on 29.9.22

PL003 A received on 29.9.22

PL005 A received on 7.10.22

PL201 A received on 29.9.22

PL202 B received on 7.10.22

PL203 B received on 7.10.22

Landscape Plan received on 16.11.22.

Reason:-

To ensure that the development remains to be in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Before the development is brought into use, native planting shall be undertaken in accordance with full details of both hard and soft landscape proposals to be 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

Soft landscape details shall include:

- 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

- Implementation timetables

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area and to achieve a Net Biodiversity Gain.

4. 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 amenities of the area and to achieve a Net Biodiversity Gain.

5. The development shall be undertaken in strict accordance with the measures and works methodology outlined in the S Christopher Smith Preliminary Bat Roost Assessment and Bird Survey, updated 14th November 2022 and the bat loft and swallow box and all other mitigation measures outlines in the report shall be provided before the development is brought into use and shall thereafter be retained.

Reason:-

To ensure the appropriate landscape design and in the interests of the visual amenities of the area and to achieve a Net Biodiversity Gain.

6. The approved holiday let unit shall not be occupied by any person(s) for a period of longer

than one calendar months and no person(s) who has occupied the holiday let unit shall occupy it again at any time within one month of the day of the last occupation of the unit.

Reason:-

In order to prevent the building being used as a permanent unit of accommodation/dwelling which would be harmful to the character of the rural area.

7. Further details/specification of the proposed ""fire"" in the lounge space shall be submitted to and approved in writing by the local planning authority prior to installation and the fire shall be provided in accordance with the approved details.

Reason:-

In the interests of the character and appearance of a listed building.

8. Further details/specification of the proposed weather-proof front door shall be submitted to and approved in writing by the local planning authority prior to installation and the door shall be provided in accordance with the approved details.

Reason:-

In the interests of the character and appearance of a listed building.

9. The windows shall be replaced only with timber frames and shall not be affixed into the window recesses by modern cement mortar or plastic modern silicone. Details of the new windows shall be submitted to and approved in writing before installation and shall be installed in accordance with the approved details.

Reason:-

In the interests of the character and appearance of a listed building.

10. No sandblasting shall be used on the structure and any low pressure blasting methods shall be carried out only where necessary and in accordance with detailed drawings with photographs to be submitted to and approved in writing by the local planning authority

Reason:-

In the interests of the character and appearance of a listed building.

11. No tanking shall be installed on or inside the structure and no modern plasterboard is to be affixed directly to the stone and any breathable/vapour permeable interventions shall be carried out only in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the character and appearance of a listed building.

12. The bath and or shower units on the first floor must not be affixed, along with any stud walling or modern plasterboard, directly to the historic wall. There shall be a small gap between the stone structural walls and bathroom units to allow excess heat and water vapour to escape and adequately circulate.

Reason:-

In the interests of the character and appearance of a listed building.

13. A small non-invasive extraction system shall be provided before the building is brought into use in the two small bathrooms for ample ventilation and to aid in the above point in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the character and appearance of a listed building.

14. The application of lime mortar shall be carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the character and appearance of a listed building.

15. Rainwater goods and gutters shall have a black metal finish supported by rise-and-fall brackets.

Reason:-

In the interests of the character and appearance of a listed building.

16. 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.

17. No development, including demolition hereby permitted shall take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-

I. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.

II. a scheme for recycling/disposal of waste resulting from the demolition/construction works;

III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

IV. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment;

V. a scheme for recycling/disposal of waste resulting from the construction works;

Once approved, all relevant activities on the site shall be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development.

Reason:-

To protect the amenities of the area from dust

18. In the event that contamination 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 continue 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 not recommence 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. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the approved remediation shall be submitted to and approved in writing by the Local Planning Authority.

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 external lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all external lighting to be installed under this permission shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason:-

To protect the local amenities of the local residents by reason of excess of illuminance

20. Prior to first use, a noise control plan shall be submitted for approval in writing by the Local Authority. It shall include a code of conduct for residents, a complaint handling procedure and contact details for the operator of the holiday let.

Reason:-

To protect local residents from excess noise.

21. The existing hayloft door in the gable shall be retained and fixed in an open position and the existing ventilation slot in the opposing gable shall be either infilled with glazing or blue brick.

Reason:-

In the interests of the character and appearance of a listed building.

22. 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 and no gates, walls, fences or other means of enclosure normally permitted by Class A of Part 2 Schedule 2 to that Order shall be erected unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:-

In the interests of the character and appearance of this historic building and to protect residential amenity

Informative

1. This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

X 

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
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.