STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Nixon
Higher Brown Edge Farm
Newton Road
Biddulph
ST8 7SW

Application no: SMD/2021/0709

Determined on: 06/06/2023

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:
Higher Brown Edge Farm, Newtown Road, Newtown, Biddulph, Staffordshire, ST8 7SW

Description of Development:
Alterations and extensions to existing dwelling and conversion of redundant barn to form ancillary accommodation

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 Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted and described above shall only be carried out in accordance with the following revised plans, received on the 18th January 2023, that are referenced and numbered as: Site Location Plan; 2022-2730-03C PROPOSAL - FLOOR PLANS; 2022-2730-04C PROPOSAL – ELEVATIONS; and, 2022-2730-05 PROPOSAL - DRY STONE WALL DETAIL.

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

3. The development hereby permitted and described above shall only be carried out using: reclaimed red brick from the site to increase the height of the brick work walls; and random coursed stone to build the enclosure wall and extension to the dwelling, in both cases the facing materials shall match in colour, form and texture those of the existing buildings. All roofing work shall be carried out using Staffordshire blue plain clay roofing tiles that shall match in colour, form and texture those of the existing buildings. There shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works harmonise with the existing development.

4. The windows and doors to be installed in the constructed addition and the converted stone farm building shall be constructed of timber as flush fitting units and casements, painted in a light grey or green colour. All windows and doors shall be installed with a setback of a minimum of 75/100 mm from the edge of the stonework around the window or door openings. All windows and doors shall thereafter be retained and maintained accordingly throughout the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure that the details of the development are sympathetic to the age and vernacular of the original buildings.

5. Before the development is brought into use all of the courrugated sheet nissen style shed at the rear of the stone barn shall be completey taken down and removed from site; and the stone wall shall be built in accordance with the details and along the line shown on the approved Site Location Plan and drawing numbered as 2022-2730-05 PROPOSAL - DRY STONE WALL DETAIL. The wall shall thereafter be retained and mainted throughout the life of the development.
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Reason:- For the avoidance of doubt and to ensure that all of the merits idenitifed in the scheme are realised in terms of enhaning the character and appearance of the area and safeguarding the Green Belt.

6. Before the development is completed and brought into use the ‘Mitigation Measures’ and ‘Proposed Site Enhancements’ relative to roosting, nesting and foraging bats and birds shall be implemented and carried out in full accordance with the details set out at section 5 of the ‘Activity Survey for Bats’ produced by Absolute Ecology LLP dated May 2023 and submitted on the 5th June 2023. The mitigation measures shall thereafter be retained and maintained, in accordance with that scheme, as being available to roosting, nesting and foraging bats and birds, throughout the life of the development.

Reason:- In the interests of nature conservation.

7. 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) A, AA, B, C, D, E, F, G and H and/or Part 2 Class(es) A, B and C, 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:- To enable the Local Planning Authority to control the development and so safeguard the open characteristics of the Green Belt, the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

8. The residential accommodation to be provided in the converted stone farm building that is hereby permitted, shall be used solely for purposes incidental to the enjoyment of, or ancillary to, the existing adjacent dwelling known as Higher Brown Edge Farm, Newton Road, Biddulph, ST8 7SW and for no other purpose whatsoever. In particular, at no time shall the residential accommodation hereby permitted be occupied, sold, let or otherwise used as a separate independent dwellinghouse.

Reason:- The application is for ancillary domestic accommodation only, in the interests of highway safety and amenity standards.

9. The rooflights to be used in the development hereby permitted shall be conservation style fitted as flush as possible with the roof covering

Reason:- To ensure that the details of the development are sympathetic to the age and vernacular of the original buildings.

10. Rainwater goods shall be cast metal, finished black and fitted on simple rise and fall brackets.

Reason:- To ensure that the details of the development are sympathetic to the age and vernacular of the original buildings.

Informative

1. 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. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraph 38.

2. The applicant is reminded that all bat species are designated and protected as European protected species, protected under the Conservation Habitats and Species Regulations 2017. It is an offence to deliberately kill, injure, disturb or capture them; damage or destroy their breeding sites and resting places (even when bats are not present); possess, control or transport them (alive or dead). It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly: disturb bats while they occupy a structure or place used for shelter or protection or obstruct access to a place of shelter or protection. If before or during the course of the development evidence of a bat presence is uncovered, all work should cease and the expert advice of a qualified ecologist should be sought.

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Signed by: Jane Colley Signature

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.