

Mr Rob Duncan
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Mr Ball
C/O Agent

Application no: SMD/2022/0083

Determined on: 14th June 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:

Haregate Hall, Haregate Road, Leek, Staffordshire, ST13 6PX

Description of Development:

Restoration and repairs to Haregate Hall, conversion and alteration of existing outbuildings to form 3no. dwellings, erection of 2no. dwellings and associated works

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 approved plans referenced and numbered as follows:

Submitted with application

Site block plan proposed AL02B
2051 AL40 West Barn General Arrangement as proposed
2051 AL41 West Barn Elevations Proposed
2051 AL42 West Barn Sections as proposed
2051 AL43 East Barn General Arrangement as proposed

2051 AL44 East Barn Elevations Proposed
2051 AL45 East Barn Sections as proposed
2051 AL60 Garage General Arrangement Proposed
2051 AL71 New House Roof Proposed
2051 AL73 New House Sections Proposed
2051 AL100 B Construction Details

Revised plans received Nov 22

2051_AL46A New Barn Plans
2051_AL50B Haregate Hall Plans as proposed
2051_Haregate Hall Plans as proposed B AL51
2051_Haregate Hall Plans as proposed B AL52
2051_Haregate Hall Plans as proposed B AL53

Revised plans received 24th March 23

2051_AL47 B_New Barn Elevations 'as proposed' coloured
2051_AL54 C Hall Elevations Proposed col
2051_AL55 C Hall Elevations Proposed col
2051 AL57 C Kitchen Cottage General Arrangement 'as proposed'
2051_AL58 B_Kitchen Cottage Elevations 'as proposed' - coloured
2051_AL72 B_New House Elevations 'as proposed' coloured

Revised plan received 6th June 23

2051 AL70A New House General Arrangement Proposed

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

3. All development, works, demolition, dismantling, repair or interior work identified in the Anser Ecology Bat Survey Report as requiring bat licensing by Natural England, shall only be carried out in accordance with, and full observation of, a licence that has been issued by Natural England pursuant to the Conservation of Habitats and Species Regulations 2017 to authorise the development or works to proceed. All of the license's requirements shall be complied with and, unless otherwise required by the terms of a license issued by Natural England, all of the works permitted shall be carried out in accordance with, and in full observation of, the recommendations and conditions set out in the section 5 Recommendations in the Anser Ecology Bat Survey Report by Anser Ecology LTD dated 6th January 2022 that was submitted with the applicaiton.

Reason:- To ensure that the development does not cause harm to a species protected by the Conservation Habitats and Species Regulations 2017 and result in an offence.

4. The development hereby permitted and described above shall only be carried out using facing, roofing and surfacing materials that accord with those shown and specified in the approved plans, the 'Analysis of Materiality' document submitted in November 2022, and a detailed materials schedule that shall have first been submitted to and agreed in writing by the Local Planning Authority.

Reason:- To ensure that the external appearance of the development is satisfactory.

5. The development hereby approved shall be constructed only in full accordance with the details set out in the Tree Heritage Ltd Arboricultural Method Statement reference THL-R23-34 dated 10th May 2023, and the CTD Architects 2051 Construction Environmental Management Plan B and associated Proposed Phasing and Site Set Up Plan Drg. No. 2051 AL111 Rev A submitted in support of the application. In particular there shall be no construction access, no materials delivery or storage, and no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires in the area proposed for driveway and private parking to Kitchen Cottage where this encroaches within the Root Protection Area of the mature Yew tree denoted T6 to be retained, unless otherwise agreed in writing by the Local Planning Authority. Furthermore, the area proposed for driveway and parking to Kitchen Cottage which is within the Root Protection Area of T6 shall be included within and protected by the temporary tree protection barrier for this tree until such time as the final driveway and parking area is constructed, and such construction shall be only in full accordance with the no-dig cellular confinement load spreading specification set out in the Arboricultural Method Statement referred to in this condition.

Reason:- To ensure the protection of trees on the site

6. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping, site establishment and formation or improvement of temporary/permanent site access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations* and as set out in the Tree Heritage Ltd Arboricultural Method Statement reference THL-R23-34 dated 10th May 2023, but subject to the modification in respect of the Yew tree T6 required under Condition 5 above, and these shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the Local Planning Authority. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure the protection of trees on the site

7. Prior to first occupation of the development, a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include full details of all proposed new trees, shrubs and other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs etc planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason: To ensure the protection of trees on the site

8. All phases of development and works on site shall only be carried out in full accordance with, and observation of, the limits, constraints and strategy set out in the 'Construction Environmental Management Plan' document and the corresponding 'Proposed Phasing and Site Set Up Plan' no. 2051 AL111 A, that were received by the Local Planning Authority in electronic communication on the 17th May 2023. There shall be no alteration to or deviation from this 'Plan' without the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of the area.

9. 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 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 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 remediation carried out must 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.

10. Prior to bringing the development into first use, all soils that are intended to be used for the proposed garden/ soft landscaping areas (retained or imported) 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 to and approved in writing by the Local Planning Authority. If soil results indicates that a potential risks exists, the development shall not be brought into use 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 and the approved remediation has been carried out.

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.

11. The development hereby permitted shall only be carried out and completed with the

provision of drainage works for the disposal of surface and foul water that accords with a scheme that has first been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and incorporate surface water limitation systems and surface water drainage interceptors sited immediately to the rear of the highway boundary, connected to a surface water outfall or drained on SUDS principles.

Reason:- To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal Highways

12. 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 character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

13. Before the proposed development is brought into use, the proposed accesses shall be completed and surfaced in a bound and porous material for a minimum distance of 5m rear of the site boundary.

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

14. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site accesses off Haregate Road and Osprey Close, to footway with full height kerb, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority. The existing site accesses made redundant as a consequence of the development hereby approved shall thereafter be reinstated as footway with full height kerb in accordance with the approved plans prior to the first occupation of the development.

Reason:- To avoid a proliferation of redundant access crossings.

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

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

16. Those buildings and spaces shown on the approved plans as garages / parking areas

shall be retained and made available at all times for the parking of motor vehicles and cycles. 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) they shall at no time be converted to living accommodation or otherwise obstructed to prevent their use for parking of vehicles unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- In the interests of highway safety.

17. All rainwater goods to be installed throughout the site as part of the development and works shall only be black cast iron of a design and detail that accords with a schedule that has first been submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason:- To protect the historic integrity of the heritage assets

18. The development permitted shall only be carried out using mortar in accordance with details and a schedule (that includes details of its type, colour, texture, means of application style of mortar joints) that has first been submitted to and approved in writing by the Local Planning Authority prior to the mortar being used. The mortar shall thereafter be applied to the buildings using a technique which shall not leave the mortar proud of the brick/stone face.

Reason:- In the interests of visual amenity and to preserve the integrity and character of the building, and its materials.

19. Before the developments hereby permitted are brought into use all walls, gates, fences and other means of enclosure shall be retained, repaired, installed and erected in accordance with a schedule or scheme that has first been submitted to and approved in writing by the Local Planning Authority. The schedule or scheme shall include, where practicably achievable, details of the retention, repair and restoration of all existing brick and stone walls.

Reason:- To provide adequate privacy and an acceptable external appearance.

20. The development hereby permitted shall only be carried out using windows and doors that shall only be of a type, material, design and means of installation that accords with a schedule or scheme that has first been submitted to and approved in writing by the Local Planning Authority prior to their installation. The schedule or scheme shall include detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of proposed finishes.

Reason:- To protect and enhance the appearance of the building and the area.

21. The first floor bedroom window to be installed in the west elevation of the side addition to 'Kitchen Cottage' shall only be fitted with obscured glazing. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in that elevation unless a further planning permission has

first been granted on application to the Local Planning Authority.

Reason:- To protect the neighbouring gardens from overlooking

22. Prior to first occupation, details of proposed relocation of existing cobbles at the rear of the Hall shall be submitted to and approved in writing by the Local Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:- To protect and enhance the appearance and historic character of the area.

Informative

In determining this application for approval consideration has been given to the adopted Staffordshire Moorlands Local Plan and to the National Planning Policy Framework. With the amended drawing and specification received following negotiation with the applicant 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. The application has thus been determined as advocated within the National Planning Policy Framework paragraph 38.

The existing access dropped crossings to the site off Haregate Road and Osprey Close made redundant by the proposed development shall be reinstated to footway with full height kerb in accordance with drawings to be submitted. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to trafficandnetwork@staffordshire.gov.uk)

The dropped crossing to the site shall be constructed in accordance with the submitted drawing and SCC Highways requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form (or email to trafficandnetwork@staffordshire.gov.uk)

Vehicle access crossing (dropped kerb) -
Staffordshire County Council

<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: 0333 880 2000.
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.