

Mr Rob Duncan
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Lichfield
Staffordshire
WS13 7DL

HG, PA and RJ Whitehurst
C/o Agent

Application no: SMD/2021/0607

Determined on: 07/07/2023

**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:

Parkfields Farm Cherry Lane Cheadle Staffordshire ST10 4QS

Description of Development:

Conversion and alteration of former agricultural buildings to form 5no.dwellingshouses 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 the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:

- 0987-07 Rev D – Block Plan as proposed
- 0987-08 Rev D – Ground Floor Plan as proposed
- 0987-09 Rev C – Plan enlargement Ground Floor as proposed
- 0987-10 Rev C – Plan enlargement Ground Floor as proposed
- 0987-11 Rev B – First Floor Plan as proposed
- 0987-12 Rev E – Elevations as proposed
- 0987-13 Barn 5 – Ground and first floor plans and section as proposed
- 0987-14 Site location plan red edge and site landscaping

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. Nothing in this approval shall be interpreted as granting consent for demolition except where shown in the drawings hereby approved and there shall be no re-building in whole or in part of the structures being retained as hereby approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: For clarity and the avoidance of doubt and in the interests of the integrity of the heritage asset and the appearance of the development.

4. All construction works including any demolition activities and all deliveries / removals of materials from the site shall be restricted to the following times:

08:00 - 18:00 hours (Monday to Friday)

08:00 - 13:00 hours (Saturday)

and such activities shall not take place on Sundays or Bank Holidays.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

5. Prior to the commencement of development a full schedule giving details of all the repair, renovation and alteration works to be undertaken including work to walls including a method statement for any taking down and rebuilding, making good and repointing including details of mortar mix, work to floors, ceilings and roof structure including purlins and trusses and treatment of demolition scarring shall be submitted to the Local Planning Authority and approved in writing and the works shall thereafter be undertaken in accordance with the details in the schedule as approved. The existing ventilation holes shall be retained to appear externally visible with glazing or blue brick infilling set to the interior of the openings as shown in drawing 0987-12 Rev E hereby approved and there shall be no variation unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of proper planning, the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

6. Prior to the commencement of development detailed joinery plans and sections of the proposed frame structure and glazing to suitable scales in the range eg. 1:5, 1:10 and 1:20 as appropriate together with details of proposed finishes and set-back position in the wall openings shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the details as approved in writing.

Reason: In the interests of the appearance of the completed development and the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

7. Prior to the installation of roof lights the detailed design specifications shall be submitted to and approved in writing by the Local Planning Authority and all rooflights shall be fitted and thereafter retained for the life of the development in accordance with the details approved. Roof lights shall be of Conservation standard and shall be fitted flush with the plane of the roof and the frame shall have a black finish. The glazed area shall be subdivided vertically.

Reason: In the interests of the appearance of the completed development and the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

8. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. A sample wall panel shall be completed on site which shall be inspected and approved in writing by the Local Planning Authority before external facing masonry work begins and shall remain on site during the period of construction. The development shall be carried out in accordance with the details of pointing and mortar mix as subsequently approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the completed development and the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

9. All rainwater goods shall be of metal or wood to a profile the detail of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: In the interests of the appearance of the completed development and the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

10. No external cowls, vents, ducts flues or extractor equipment whatsoever shall be installed in the development hereby approved without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of occupiers and in the interests of the appearance of the completed development and the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

11. Prior to the development first coming into use all outside space within the application site area shall be landscaped and boundary treatments completed in accordance with the details in drawing 0987-14 hereby approved and there shall be no variation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt and in the interests of the occupiers and their living conditions.

12. Prior to their installation, details of any external lighting to be installed within the development shall be submitted to and approved in writing by the local planning authority. The lighting shall be implemented in accordance with the approved details and retained thereafter as such.

Reason: To protect the amenities of occupiers and in the interests of the appearance of the completed development and the integrity of the heritage asset and building listed by position in the curtilage of the adjacent listed farm house.

13. The development shall take place incorporating the mitigation measures and in accordance with the working methods all as detailed at pages 49 to 57 in the submitted Bat and Bird Survey by S. Christopher Smith dated 22nd November 2021 or as stipulated by any Natural England European Protected Species (EPS) Licence in which case the work shall be implemented in accordance with the EPS Licence and in either event shall be implemented and retained as approved for the lifetime of the development.

Reason: To safeguard the population of protected species and in the interests of biodiversity.

14. 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: To protect the character and appearance of the building and its setting.

Reason for Approval

Members were supportive of a scheme to redevelop listed derelict buildings and that despite there being concerns raised in terms of the highway safety. This was an established route which was currently used by residents and visitors to businesses located on this road, and it was considered that any highway safety risk was outweighed by the benefits of establishing a beneficial use for the Listed Buildings.

Informatives

1. The confirmed presence of bats in the buildings proposed to be developed means that work can only take place if carried out in accordance with Natural England's licensing procedures for work which will affect Protected Species details of which can be obtained from Natural England at <https://www.gov.uk/bats-protection-surveys-and-licences>. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

2. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Swallows which winter in North Africa and migrate to their breeding locations in Britain and Europe each spring, often returning faithfully to the same sites, will potentially use this development site as it presently exists. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August or late August in the case of Swallows. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present including Swallows the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

3. A public footpath right of way follows Cherry Lane which provides access to the site and this must not be obstructed at any time during the development and must remain available for public use on foot at all times both during development and on completion. Should temporary closure or diversion be necessary to allow the works to proceed then application should be made to the Staffordshire County Council Public Rights of Way officer. Contact: Rights of Way, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford ST16 2DH. Email: rightsofway@staffordshire.gov.uk Tel: (01785) 277244 or 277247.

4. Please be aware that the responsibility for safe development and secure occupancy of

the site rests with the developer. It is recommended that a Demolition or refurbishment asbestos survey and risk assessment be carried out prior to the demolition /renovation 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/>.

5. This decision is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

X *B.J. Haywood*

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.
- 2) 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.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) 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.

- 9) 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.
- 10) 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>
- 11) 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.
- 12) 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.
- 13) 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).
- 14) 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.