

Mr Shaun Hyde  
Planning Design Practice Ltd  
3 Woburn House  
Derby  
DE1 1UL

Nicole Williamson  
C/o Agent

Application no: DET/2023/0045

Determined on: 2<sup>nd</sup> February 2024

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)  
(ENGLAND) ORDER 2015**

**PRIOR APPROVAL REQUIRED AND GRANTED FOR CHANGE OF  
USE**

**APPROVAL**

Staffordshire Moorlands District Council hereby **APPROVE** this application for **PRIOR  
APPROVAL** for

**Change of use of agricultural building to one dwelling house at Mill Farm,  
Gratton Lane, Gratton**

The development shall only be carried out in accordance with the plans and details submitted with the application, as listed and specified below, subject to the following conditions:-

1. The development hereby permitted and described above shall only be carried out in accordance with the approved plans numbered 001B Location Plan, 003B Site Plan as Proposed, 006B Plans as Proposed, and 007B Elevations as Proposed, submitted with the application.

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

2. The development shall only be carried out using the external facing and roofing materials that are specified on the approved plans referred to above and the application form, and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works are in keeping with adjacent development and its surroundings

3. The development shall be carried out to include and incorporate a scheme for protecting the dwellinghouse from noise resulting from the use of the neighbouring agricultural building and activity from the adjacent excavator training centre to the east. The scheme shall be designed to reflect and meet the findings and recommendations of a site specific noise assessment that has been undertaken in compliance with the criteria set out in BS4142:2014+A1:2019 Method for rating and assessing industrial and commercial sound (BS 4142) and BS8233:2014 Sound insulation and noise reduction for buildings (Code of Practice).

Reason:- To protect the amenity of the future residential occupier from the noise generated by adjacent commercial uses.

4. The occupation of the dwellinghouse shall be limited to person(s) that own or operate the adjacent agricultural building or excavator training centre to the east; an employee of such an owner or operator; a family relative of such an owner or operator; or a guest of such an owner or operator, during a temporary period where the occupant has their main residence elsewhere. The dwellinghouse described above shall not be used or occupied by persons who do not have any of those specified connections to the adjacent commercial uses, or in any other way that is outside of those restrictions, and it shall not be let, sold or otherwise separately disposed of as a property independent of those existing commercial uses.

Reason:- It has not been demonstrated that the dwellinghouse is able to provide an appropriate standard of living condition for persons that do not have a pre-existing connection or association with the occupation and use of other adjacent land and buildings.

5. Before the development is brought into use the parking space shall be provided in accordance with the approved plan 003B. The parking space shall thereafter be retained and maintained, unobstructed as a parking space for the life of the development.

Reason:- In the interests of highway safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as may subsequently be amended or reenacted) no extensions, alterations or buildings within the site curtilage normally permitted by Classes A to E of Part 1, Part 2 and Part 20 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- To protect the character and appearance of this rural building.

## **INFORMATIVE**

Bats are dynamic creatures and bats can be found in unexpected places. For this reason, care should be taken during the building work to minimise any harm to bats in case they are found during demolition. If bats are found during building work, the work should cease, and advice immediately should be obtained from a licensed bat consultant. If bats are found site workers should not handle bats for health and safety reasons. If this is unavoidable (unlikely) thick leather gloves should be worn to avoid being bitten.

X *B.S. 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](http://dbcp.co.uk); Email: [info@dbcp.co.uk](mailto: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](http://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](http://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.