

Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Shaw
C/o Agent

Application no: SMD/2021/0775

Determined on: 12/02/2024

**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 Boathouse Lakeside Road Rudyard Staffordshire ST13 8RP

Description of Development:

Proposed change of use to form single dwelling

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:

2020-2578-01

2020-2578-02 Rev D

2020-2578-03 Rev B

2020-2578-04

2020-2578-05 Rev A

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. Full details of the external facing materials of the balcony shall be provided and these shall be approved in writing to the Local Planning Authority before its construction is commenced and 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 protection and mitigation measures for species within the Preliminary Ecological Appraisal May 2022 and Bat Activity survey August 2022 shall be implemented in full prior to the first occupation of the dwelling and shall be retained for the life time of the development.

Reason: To try and ensure that the development does not cause harm to protected wildlife

5. At any time during and following the completion of the development all exterior lighting installations shall be erected only in accordance with the protocols contained in the Institute of Lighting Engineers document "Guidance for the Reduction of Obtrusive Lighting" (2005) and the Bat Conservation Trust's "Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting" (2014).

Reason: to minimise disturbance by artificial light to protected species including bats.

6. The design of all external joinery including windows and doors, including glazing bar profile and mitred construction, specification, ironmongery, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The works shall be carried out only in accordance with the agreed window and door details.

Reason: Inadequate details of these matters have been submitted with the application

7. The existing bargeboards are decorative timber which is to be painted black, the eaves are exposed rafter ends without fascia board and these will also be painted black. The windows will be RAL 9010.

Reason: to protect the character and appearance of the area and the historic application property.

8. 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 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 the area and the historic application property.

9. Prior to the commencement of development (including any demolition, site clearance, stripping or site establishment) there shall be submitted to and approved in writing by the Local Planning Authority a scheme of biodiversity landscaping. Such a scheme shall include full details of all new tree, shrub and hedge planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting, including plant protection from grazing wild mammals together with management proposals for all existing trees and hedgerows to be retained along with measures for their protection in the course of the development. Following approval in writing by the Local Planning Authority the biodiversity landscaping scheme as approved shall be fully implemented before the end of the first available planting season (November to February inclusive) following the substantial completion and / or first coming into use of the development. Any plants which die or are lost or otherwise fail to establish in the first five years following the completion of the planting shall be replaced in the next available planting season with plants of the form and size as originally planted. The planting shall thereafter be allowed to grow and be maintained for the lifetime of the development.

Reason: In the interests of biodiversity and the visual appearance of the development and the amenities of the area.

10. No development shall commence until details of a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme of foul and/or surface water disposal has been implemented to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal

11. No site clearance or other ground works within the application site shall commence until an Eradication Plan to control and remove the presence of Japanese Knotweed from the site has been submitted to and approved in writing by the Local Planning Authority. This mitigation plan shall include specific details of timescales and aftercare to ensure appropriate treatment for its long term control and removal from the site. The development shall thereafter be implemented in accordance with the approved Eradication Plan unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the removal of an invasive species from the site and to control the

spread of the species.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
2. The applicant/developer is advised that any discharge of surface or foul water (including treated effluent) to Rudyard Lake will require the prior consent of the Canal 8 River Trust. Please be advised that the Trust is not a land drainage authority and such discharges are not granted as of right- where they are granted they will usually be subject to completion of a commercial agreement. Please contact the Trust's Utilities Team direct to discuss any proposed discharges to the lake- please contact Philippa Walker, Regional Utilities Surveyor, at philippa.walker@canalrivertrust.org.uk or on 07889 057930 for advice in the first instance.
3. The proposed balcony extension oversails the existing lake which is Canal 8 River Trust property. The applicant/developer is advised to contact the Trust's Estates Team to establish whether consent to use the airspace above the Trust's property for the balcony is required before undertaking any work. Should consent be required, please be advised that this will be subject to completion of a commercial agreement. Please contact Jeff Peake, Senior Estates Surveyor, at jeff.peake@canalrivertrust.org.uk or on 07795 226727 for advice in the first instance.
4. Any works on or oversailing Rudyard Lake will require the prior consent of the Canal 8 River Trust and all such work will have to comply with the Trust's current Code of Practice for Works Affecting the Canal 8 River Trust. More details about the Code of Practice can be found on the Trust's website). The applicant/developer should contact the Trust's Infrastructure Services Team to ensure that all necessary consents are obtained for undertaking any work on or affecting Trust property. Please contact Sue Highton, Works Engineer, at susan.higton@canalrivertrust.org.uk or on 07484 907304 to discuss matters in the first instance.

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.