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SK11 0RU

Application no: DET/2024/0011

Determined on: 3<sup>rd</sup> June 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  
**DETERMINATION** for a

**Change of Use of an agricultural building to one Dwellinghouse (Use Class C3),  
and for building operations reasonably necessary for the conversion at Stanley  
Farm Bungalow, Dial Lane, Congleton**

The development shall only be carried out in accordance with the plans and details submitted with the application and the revised drawings and details submitted after the date of 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 plans numbered C545-24-1 and C545-24-2, that were submitted with the application; and revised plan C545-24-3R2, that was submitted on the 3<sup>rd</sup> June 2024.

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 external facing and roofing materials that shall match in colour, form and texture those of the existing building 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.

3. Before the development is brought into use a visibility splay of 2.4m x 67m to the north shall be provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:- In the interests of highway safety.

4. Before the development is brought into use the parking, servicing and turning areas shall be provided in accordance with the approved plan C545-24-2. The parking, turning and servicing areas shall thereafter be retained and maintained, unobstructed as parking, turning and servicing areas for the life of the development.

Reason:- In the interests of highway safety.

5. Before the development is brought into use the access drive rear of the public highway shall be surfaced in a bound material for a minimum distance of 5m back from the carriageway edge. The surfacing shall thereafter be maintained in accordance with the approved details.

Reason:- In the interests of highway safety.

6. Development shall not commence until a detailed remediation strategy to deal with the potential risks from the extent of contamination on the site and bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation strategy shall have been carried out to remediate the site before the development is brought into use. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be carried out. The remediation scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

7. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records shall be retained for inspection by officers of the Local Planning Authority. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused

to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These shall be made available for inspection when required by officers of the Local Planning Authority

Reason:- To protect the amenities of the area during construction

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, 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. Specifically, no fences, walls, gates or other means of enclosure shall be erected or provided anywhere on the site without the details of such operations first being submitted to and approved in writing by the Local Planning Authority. The erection or provision of any fence, wall, gate or other means of enclosure shall only be carried out in accordance with those approved details.

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

## INFORMATIVE

The application does not include any proposal to provide or erect any boundary treatment or enclosure to define areas of garden. This approval therefore, does not include any consent to erect any fences, walls or gates on the site as part of the scheme. A separate planning permission or the approval of the Local Planning Authority would be required to erect any fence, wall, gate or other means of enclosure on the site.

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.

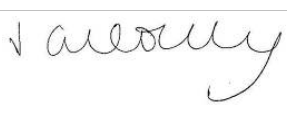
Contamination: The site is approximately 100m from a historic landfill (SM 80) and licenced landfill 1/A/92/0441 and may be subject to some ground gas. The site has also historically been used as an out building / hardstanding and may have some associated contamination from previous uses. A contamination risk assessment / ground gas assessment is therefore is required to ensure the site is suitable for its proposed use.

Where required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become an “appropriate person”. In this event the applicant will be lawfully responsible to remove the risk posed by the contamination. Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes. The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should 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/>

X 

Signed by: Jane Curley

**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.