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Application no: SMD/2024/0011

Determined on: 15/08/2024

**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:

Endon Bank Farm, Church Lane, Endon, Staffordshire, ST9 9HF

Description of Development:

Conversion and extension of existing barns to 4no. holiday lets (C3). Demolition of existing garage structure and re-construction.

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. No works, demolition, dismantling, repair or interior work shall commence anywhere on the site before the Local Planning Authority has been provided with evidence that either: a) a licence has been issued by Natural England pursuant to the Conservation of Habitats and Species Regulations 2017 authorising development to proceed; or b) a statement in writing has been issued by Natural England indicating that it does not consider that the development will require a licence and the Local Planning Authority has confirmed in writing that it is satisfied with that evidence. 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 at section 4 of the 'Preliminary

Ecological Appraisal' by Apex Ecology dated Nov 2023 that was submitted with the application.

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.

3. The development hereby permitted and described above shall only be carried out in accordance with the written and drawn details of the revised plans numbered and referenced:

Received on 9th August 2024

P318-216 LP01 A (Location Plan)

P318-215 PP09 C (Site Plan)

P318 - 211 PP05 B (Front Elevation)

Received on 15th July 2024

P318 - 207 PP01 B (Ground Floor Layout)

P318 - 209 PP03 B (First Floor Layout)

P318 - 213 PP07 B (Rear Elevation)

Received on 17th June 2024

P318 - 212 PP06 A (Side Elevations)

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

4. The development hereby permitted and described above shall only be carried out using facing materials and roofing tiles as specified and detailed on the approved plans referenced at condition 3 above. The reconstruction of the garage structure shall only be carried out using a red facing brick of a type and specification that has first been submitted to and agreed in writing by the Local Planning Authority.

Reason:- To ensure that the works harmonise with the existing development.

5. The windows and doors to be installed in the converted stone farm building shall be constructed as flush fitting units and casements, painted in a light grey or green colour. All windows and doors shall be installed with a setback of a minimum of 75/100 mm from the edge of the stonework around the window or door openings. All windows and doors shall thereafter be retained and maintained accordingly throughout the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure that the details of the development are sympathetic to the age and vernacular of the original buildings.

6. Before the development is brought into use all of the structures (including the adjoining corrugated sheet canopy shelter and the concrete block addition to the rear of the stone farm building) that are shown on the approved plans as being demolished, shall be completely taken down and removed from site.

Reason:- For the avoidance of doubt and to ensure that all of the merits identified in the

scheme are realised in terms of enhancing the character and appearance of the area and safeguarding the Green Belt.

7. The converted barns shall only provide and be used as 4 units of holiday accommodation/lets that shall only be used and occupied by persons who are on holiday and have their sole or main residence elsewhere. The stay and occupancy of such persons shall be limited to a period not exceeding four weeks at any one time. The holiday lets shall not be used or occupied for any other purpose including any purpose in Class C3 (dwelling houses) of the Town and Country Planning Use Classes Order 1987.

Reason:- For the avoidance of doubt and purposes of clarification, and to ensure that the local economy benefits from a turnover of visitors who are spending time and money in the area during their holiday.

8. Before the development is brought into use, a scheme shall be submitted to and agreed in writing by the local planning authority that specifies the provisions and management arrangements that will be implemented, observed and maintained for the control of noise and activity of visitors within and emanating from the site. The noise mitigation and management scheme shall be implemented, observed and maintained in accordance with that agreed scheme, for the life of the approved development.

Reason:- To protect the amenity of the locality.

9. There shall at no time be any artificial lighting incorporated into this site or installed on the building that causes glare or increases the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of any artificial lighting to be installed under this permission should be first submitted to and approved by the Local Planning Authority.

Reason:- To protect the local amenities of the local residents by reason of excess of illuminance

10. 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; Part 2; and Part 20, of Schedule 2 to that Order, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority. Specifically, no fences, walls, gates or other means of enclosure, other than those detailed on revised site plan P318-215 PP09 C, 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 enable the Local Planning Authority to control the development and so safeguard the open characteristics of the Green Belt, the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

11. The roof lights to be used in the development hereby permitted shall be conservation style fitted as flush as possible with the roof covering

Reason:- To ensure that the details of the development are sympathetic to the age and vernacular of the original buildings.

12. Rainwater goods shall be metal, finished black and fitted on simple rise and fall brackets.

Reason:- To ensure that the details of the development are sympathetic to the age and vernacular of the original buildings.

13. The development shall not be brought into use until the access, parking and turning areas have been surfaced and provided in accordance with the drawn and written details shown on the revised site plan numbered P318-215 PP09 C. They shall thereafter be maintained and retained in accordance with those details throughout the life of the development.

Reason:- In the interests of highway safety and to ensure that the site is set out and finished in a way that limits impacts on the Green Belt and the character and appearance of the area.

14. 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 should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed 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 commence 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 prepared, and is subject to the approval in writing of 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 produced, and is subject to the approval in writing of 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.

15. Prior to bringing the development into first use, all soils that are intended to be used for the proposed garden/ soft landscaping areas should be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil should be submitted to and agreed by the Local Planning Authority and should include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed. The results of the soil tests should be submitted and approved in writing by the Local Planning Authority. If soil results indicates that a potential risks exists, development shall not commence until a detailed remediation strategy to bring the site to a condition suitable for

the intended use has been prepared and subject to the approval 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.

16. There shall at no time, throughout the life of the development, be any decking, gazebo or hot tub placed or used anywhere on the site.

Reason:- To protect the openness of the Green Belt and the amenity of nearby residential neighbors.

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 application does not include any proposal to provide or erect 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 that are not shown on the approved site plan.

A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition 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/>

Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment <http://www.bsigroup.com>

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Signed by: Jane Colley Signature



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.