

Mrs Teresa Critchlow
Sammons Architectural Limited
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr & Mrs Lloyd
Holly House Farm
387 Cheadle Road
Cheddleton
Staffordshire
ST13 7BH

Application no: DET/2024/0037

Determined on: 07.11.2024

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

**PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED
APPROVED**

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

**Change of Use of an existing agricultural building into a single dwelling with
associated building operations**

at

Holly House Farm 387 Cheadle Road Cheddleton

in accordance with the submitted application, details and accompanying plans subject to the following conditions:-

1. The approval is granted subject to the conditions and limitations relevant to Class Q (a) and (b) as set out in the GPDO 2015 Schedule 2 Part 3 as amended including that the development under Class Q(a) and under Class Q(b) hereby approved must be completed within a period of 3 years starting with the date of this prior approval.

Reason: To define the permission, for clarity and the avoidance of doubt.

2. The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

2023-2806-01 Rev D;
2023-2806-02;
2023-2806-04 Rev D.

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

3. The development shall be carried out in accordance with the materials details outlined on drawing reference number 2023-2806-04 Rev D and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- In the interests of good design, in accordance with the applicant's intentions and for the purposes of clarity as to what is approved.

4. The development hereby permitted shall not be brought into use until the parking and turning area has been provided in accordance with the approved Drg. No. 2023-2806-04 Rev D. The parking and turning area shall thereafter be retained unobstructed as parking and turning for the life of the development.

Reason:- In the interests of highway safety.

5. Prior to first occupation of the development hereby permitted, drainage plans for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the development being brought into use and shall be retained for the lifetime of the development.

Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

6. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

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

7. II. 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;

II. No activity hereby permitted shall cause dust to be emitted beyond the site boundary. 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. In the event that contamination including surface coal measures is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. If after consultation with the Local Planning Authority the contamination is considered to pose a possible risk, to human health, buildings and other property and the natural and historical environment (receptors), development shall not continue further until a site investigation and risk assessment has been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority. If the contamination investigation and risk assessment indicates that potential risks exists to 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 the receptors has been submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the first occupation of the development.

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.

9. Prior to bringing the development into first use, all soils that are intended to be used for the proposed garden/ soft landscaping areas shall be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil shall be submitted to and agreed in writing 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 shall be submitted and approved in writing by the Local Planning Authority. If soil results indicates that a potential risks exists, development shall not continue until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be carried out prior to the first occupation of the development.

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.

10. Any external artificial lighting incorporated into this site in connection to the approved development shall not cause glare or increase the pre-existing illuminance at the adjoining light sensitive locations when the light(s) is (are) in operation. Details of any external artificial lighting (which shall broadly take account/consider the lighting mitigation methods within the Bat Activity Survey dated August 2023 by Absolute Ecology) to be installed under this permission

should be submitted to and approved in writing by the Local Planning Authority prior to the installation of the lighting.

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

11. Prior to first occupation of the development hereby approved, the muck store within the land hatched green as shown on above approved drawing reference number 2023-2806-01 Rev D, shall be demolished, the land returned to field and the proposed stone boundary wall shown on approved drawing number 2023-2806-04 Rev D shall be erected.

Reason:- in the interests of clarity as to what is approved, in order to comply with the Part 3 Class Q provisions and in accordance with the applicant's intentions.

12. Prior to first occupation of the development hereby approved, details of 2 x 1ZA Wren Nest box and 4 x Schwegler No. 10 Swallow Nests, including their proposed locations shall be submitted to and approved in writing by the Local Planning Authority. All of the boxes shall be erected in accordance with the approved details prior to first use of the development and shall be retained for the lifetime of the development.

Reason:- In the interests of biodiversity and to secure future nesting sites for other bird species.

13. Prior to first occupation of the development hereby approved, details of 2 No. bat boxes including their proposed locations shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be erected in accordance with the approved details prior to first use of the development and shall be retained for the lifetime of the development.

Reason:- In the interests of biodiversity and to secure roosting opportunities.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

INFORMATIVES

1. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). Works should ideally be undertaken outside the bird breeding season (March to September inclusive). Where this is not possible, then an inspection by a suitably qualified ecologist for nesting birds should be carried out within 24hrs prior to any works commencing.

2. Should any active bird nests be found during works, then these should be left undisturbed until offspring have fully fledged.
3. Should bats be present onsite then all works must cease and a qualified ecologist should be consulted. A European Protected Species (EPS) development license issued by Natural England (NE) may be required, prior to any works taking place. The Developer is reminded of their obligations under the provisions of Part I of the Wildlife and Countryside Act 1981 as amended in respect of protected species and their habitats. Failure to comply with the obligations of the Act could constitute a criminal offence. The granting of this application does not override any other relevant legislation.
4. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- 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>

- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014+A1:2019 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

- Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download <http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf>

- The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011(or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

Illuminated area m²	Zone E1	Zone E3	Zone E4	Zone E5
Up to 10.00	100	600	800	1000
Over 10.00	n/a	300	600	600

Environmental Zones			
Zone	Surrounding	Lighting Environment	Examples

E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically dark	National Parks, Areas of Outstanding Natural Beauty etc.
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Small town centres or suburban locations
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity

The guidance advises that, where an area to be lit lies on the boundary of two zones or can be observed from another zone, the limits used should be those applicable to the most rigorous zone.

- During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.
- The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils <http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf>
- Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)
- If 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>
- Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
- The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. 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.
5. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/buildingonorwithintheinfluencingdistanceofmineentries Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider. If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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.