



**Sal Khan CPFA, MSc
Head of Service (Section 151 Officer)**

**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT**

Date valid application received:
11/07/2022

Application No: P/2022/00748

Name and address of Agent
CT Planning
Three Spires House
Station Road
Lichfield
WS13 6HX

Name and address of Applicant
Mercer Farm Partners
c/o CT Planning
Three Spires House
Station Road
Lichfield
WS13 6HX

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

Conversion of existing buildings to form a single dwellinghouse

The Old Bothy, Maker Lane, Hoar Cross, Burton Upon Trent, DE13 8QR

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission:

Drawing No.s:

E22-43_SIT01 Rev B, 1:1250 Location Plan dated as received on 11th July 2022

E22-43_EXSIT00, 1:200 Existing Site Plan dated as received on 21st June 2022

E22-43_SIT00, 1:200 Proposed Site Plan dated as received on 21st June 2022

E22-43_EXGAP00, 1:50 Existing Floor Plan and Elevations dated as received on 21st June 2022

E22-43_GAP00, 1:50 Proposed Floor Plan and Elevations dated as received on 21st June 2022

Preliminary Bat Roost Assessment and Bird Survey by S.Christopher Smith MRICS MSc CEnv, dated as received on 21st June 2022

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway in accordance with East Staffordshire Local Plan Policies SP1, SP2, SP4, SP8, SP24, SP25, SP27, SP29, SP35, DP1, DP3, DP5 and DP7, the East Staffordshire Design Guide, the Re-Use of Rural Buildings SPD, the Separation Distances and Amenity SPD, the Parking Standards SPD and the National Planning Policy Framework.

3 Prior to the first occupation of the dwelling hereby approved, details of fencing and walling shall be submitted to and approved in writing by the Local Planning Authority. Any scheme of walling and fencing approved shall be completed prior to the development first being brought into use unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

4 Prior to the first occupation of the dwelling hereby granted permission the parking and turning areas shown on the approved plan shall be provided in a bound porous material, and thereafter shall be made available at all times for their designated purposes.

Reason: In the interests of highway safety, and to ensure porous materials are used where appropriate to reduce the risk of flooding in accordance with East Staffordshire Local Plan Policy SP27 and the National Planning Policy Framework.

5 Notwithstanding the provisions of Classes A, B, C, D and E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the new dwelling unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the building and its surroundings in accordance with East Staffordshire Local Plan Policies SP8, SP24 and DP3, and the Re-use of Rural Buildings Supplementary Planning Document, the East Staffordshire Design Guide, and the National Planning Policy Framework.

6 Notwithstanding the provisions of Schedule 2 Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, no solar photovoltaics or solar thermal equipment (except for those approved by this consent) shall be attached to the new dwelling unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the building and its surroundings in accordance with East Staffordshire Local Plan Policies SP8, SP24 and DP3, and the Re-use

of Rural Buildings Supplementary Planning Document, the East Staffordshire Design Guide, and the National Planning Policy Framework.

7 Notwithstanding the provisions of Class A Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, no gates, walls, fences or other means of enclosure (except for those approved by this consent) shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the building and its surroundings in accordance with East Staffordshire Local Plan Policies SP8, SP24 and DP3, and the Re-use of Rural Buildings Supplementary Planning Document, the East Staffordshire Design Guide, and the National Planning Policy Framework.

8 The ecological enhancement measures as detailed within the Preliminary Bat and Bird Survey by S.Christopher Smith MRICS MSc CEnv, dated as received on 21st June 2022 shall be installed prior to the first occupation of any part of the development and thereafter retained and made available at all times for their designated purposes for the life of the development.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

Informative(s):

1 The condition identified below require details to be approved during the development.
Condition No. 3

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

Confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request.

Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

2 The applicant is advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

3 The applicant is advised that there is an outfall pipe running from a septic tank located at the end of the gardens of Covert View and The Old Stables which runs under the

proposed car parking spaces and terminates behind them. Care must be taken during site works to protect and maintain the outfall pipe.

4 The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding that it is a sustainable form of development which complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has secured a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

This permission is granted by the under signed under powers delegated by the Borough Council in accordance with the provisions of Section 101 of the Local Government Act 1972.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.

Dated 27th September 2022

Signed *Lisa Bird*

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- 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.
- In the case where we refuse planning permission or grant it subject to conditions decision if you want to appeal then you must do so within 6 months of the date of this notice. (Unless the application is for a minor commercial application, please see the criteria for a minor commercial application below). In the case where we refuse planning permission or grant it subject to conditions for a minor commercial application, if you want to appeal against your decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

Minor Commercial Development Uses

Shops

1. Use for all or any of the following purposes—

- (a) for the retail sale of goods other than hot food,
- (b) as a post office,
- (c) for the sale of tickets or as a travel agency,
- (d) for the sale of sandwiches or other cold food for consumption off the premises,
- (e) for hairdressing,
- (f) for the direction of funerals,
- (g) for the display of goods for sale,

- (h) for the hiring out of domestic or personal goods or articles,
- (i) for the washing or cleaning of clothes or fabrics on the premises,
- (j) for the reception of goods to be washed, cleaned or repaired,
- (k) as an internet café, where the primary purpose of the premises is to provide facilities for enabling members of the public to access the internet, where the sale, display or service is to visiting members of the public.

Financial and professional services

2. Use for the provision of—

- (a) financial services,
- (b) professional services (other than health or medical services), or
- (c) any other services (including use as a betting office) which it is appropriate to provide in a shopping area, where the services are provided principally to visiting members of the public.

Restaurants and cafes

3. Use for the sale of food and drink for consumption on the premises.

Drinking establishments

4. Use as a public house, wine-bar or other drinking establishment.

Hot food takeaways

5. Use for the sale of hot food for consumption off the premises.”