STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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ST10 1NP

Mr Jeff Wood
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Staffordshire Moorlands
ST10 4QR

Application no: SMD/2016/0360

Determined on: 17/01/2017

Planning (Listed Buildings and Conservation Areas) Act 1990
The Planning (Listed Buildings and Conservation Areas) Regulations 1990

GRANT OF LISTED BUILDING CONSENT

This consent does not carry any approval or consent which may be required under any enactment, order or regulation other than Section 8 of the Planning (Listed Building and Conservation Areas) Act 1990.

Location of Development:
Hales Hall, Oakamoor Road, Cheadle, Staffordshire Moorlands ST10 4QR

Description of Development:
Retrospective Listed Building Consent for erection of steel framed, timber clad building to house a biomass boiler, supplying heating to Grade II* Listed Hales Hall

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS LISTED BUILDING CONSENT** for the works described above subject to the following conditions:

1. 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: 00487 PL(0)021 and 00487 PL(0)022
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.

2. The materials used in the external finished appearance of the proposed building hereby approved shall be black enamel in the case of the flue pipe chimney, natural timber stained dark brown in the case of the walls and doors and Staffordshire blue clay tiles in the case of the roof.
Reason: In the interests of the appearance of the completed building and its position in the setting of Grade II and Grade II* Listed Buildings.

3. Prior to the completion of the development and notwithstanding the submitted specifications and plans a sample of the proposed roof tiles shall be submitted to the Local

Planning Authority (LPA) for written approval and the development shall be completed using a tile as subsequently approved in writing by the LPA.
Reason: In the interests of the appearance of the completed building and its position in the setting of Grade II and Grade II* Listed Buildings.

4. Prior to the completion of the development and notwithstanding the submitted specifications and plans a drawing at 1:20 scale to detail the timber doors to the building shall first be submitted to the LPA for written approval and the development shall be completed with doors in accordance with the details as subsequently approved in writing by the LPA.
Reason: In the interests of the appearance of the completed building and its position in the setting of Grade II and Grade II* Listed Buildings.

5. All rainwater goods shall be of metal or wood to a profile the detail of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation.
Reason: In the interests of the appearance of the completed building and its position in the setting of Grade II and Grade II* Listed Buildings.

6. By the end of the first full available planting season November to March following the substantial completion of the development the planting scheme as submitted in the details of drawing M16/1262/03 shall have been carried out and completed in accordance with the layout, schedules and specifications therein. Any plants which die or are lost in the first five years following the completion of the planting shall be replaced 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 the appearance of the completed development including its assimilation into the settings of Grade II and Grade II* Listed Buildings.

7. Any storage of materials including fuel to supply the boiler shall occupy ground only to the north and north west of the building hereby approved.
Reason: In the interests of the appearance and landscaping of the completed development including its assimilation into the settings of Grade II and Grade II* Listed Buildings.

8. Notwithstanding the submitted details and plans nothing in this consent shall be taken to authorise any form of structure, fencing or gates associated with log storage or the area north of the building.
Reason: In the interests of the appearance of the completed development including its assimilation into the settings of Grade II and Grade II* Listed Buildings.

Informatives

1. 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. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraphs 186-187.

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X B.J. Haywood

Signed by: Haywood, Ben

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 the Councils Building Control Section at buildingcontrol@staffsmoorlands.gov.uk

2. 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.

3. 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 may be 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.

4. 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.

5. 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.

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6. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.

7. If Listed Building consent is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the District Council in which the land is situated, a Listed Building purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

8. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

9. If you want to appeal against your local planning authority's decision on listed building consent 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.