STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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Mr and Mrs Needham
C/O the agent

Application no: SMD/2017/0233

Determined on: 19th January 2018

Planning (Listed Buildings and Conservation Areas) Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2015

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:
Cloud House Farm Toft Green Lane Cloud Side Congleton Staffordshire CW12 3QF

Description of Development:
Listed Building Consent for alterations and extensions, re-submission of planning consent ref. SMD/2014/0490 and SMD/2014/0505

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 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 51 of the Planning and Compulsory Purchase Act, 2004 and Section 18 of the Listed Buildings Act.

2. 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:
Red Edge Location Plan 1:1250 revision A
Plans and Elevations as proposed 3590/12 revision T
Roof and glazing details 3590/13 revision A
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.

3. Prior to the commencement of development, samples/details of all facing materials

for the hereby approved extensions and external alterations shall be submitted to and approved in writing by the Local Planning Authority and the materials as subsequently approved shall be used in the construction of the approved development.
Reason: In the interests of the character and appearance of the Listed Building.

4. Prior to the commencement of development, the construction details for the rear extensions hereby approved, including the flashing, roof finish and rooflights shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in exact accordance with the details as subsequently approved in writing.
Reason: In the interests of the character and appearance of the Listed Building.

5. Prior to the commencement of development, details of the joinery for all new windows and doors, including moulding detail for the stone mullion and window surround, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in exact accordance with the details as subsequently approved in writing.
Reason: In the interests of the character and appearance of the Listed Building.

6. Prior to the commencement of development, in order to demonstrate the block size, coursing and pointing a sample panel of the walling hereby approved shall be constructed on site and inspected and approved in writing by the Local Planning Authority and shall remain on site during the period of construction. The development shall be completed in accordance with the details and form of the sample panel as approved.
Reason: In the interests of the character and appearance of the Listed Building.

7. Prior to the commencement of development written details and specifications for the following shall be submitted to the Local Planning Authority and approved in writing:

- Details of work to chimney including over-sailing courses and chimney pots;
- Details of cills and lintels to new windows and doors;
- Details of opaque glass;
- Schedule of historic glass retained and reused in replacement windows;
- Details of horizontal glazing bars retained/replicated in replacement windows where they currently exist;

Reason: In the interests of the character and appearance of the Listed Building.

8. Prior to the commencement of development, a specification for the treatment of floors, walls and ceilings shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of roofing insulation. No insulation or plasterboard or other applied surface treatment is to be used on any originally external walls unless otherwise agreed in writing by the Local Planning Authority
Reason: In the interests of the character and appearance of the Listed Building.

9. Within 12 months of the commencement of development the existing fascia boards to the front and rear gables shall be replaced with flush, mortared verges.
Reason: In the interests of the character and appearance of the Listed Building.

10. Prior to the commencement of work to remove paint from historic timbers a scheme to show the method of paint removal from historic timbers shall have been submitted to and approved in writing by the Local Planning Authority and the works to the timbers shall be undertaken in accordance with the approved scheme.

Reason: In the interests of the character and appearance of the Listed Building.

11. Prior to the installation of any underfloor heating, specifications of the underfloor heating system and its method of installation shall have been submitted to and approved in writing by the Local Planning Authority and this system shall be installed in accordance with the details as approved.
Reason: In the interests of the character and appearance of the Listed Building.

12. 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 character and appearance of the Listed Building.

13. No external cowls, vents, ducts flues or extractor equipment whatsoever shall be installed within the development hereby approved without the prior written consent of the Local Planning Authority.
Reason: In the interests of the character and appearance of the Listed Building.

14. Prior to the commencement of the development hereby permitted, including site clearance and preparation, a written scheme of archaeological investigation ('the Scheme') shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication. The Scheme shall thereafter be implemented in full.
Reason: In the interests of recording and understanding the archaeological heritage of the development site as a Grade II Listed Building.

Informatives

1. In relation to condition 14 – archaeological survey: The building recording should be carried out by a suitably experienced historic environment professional or organisation working to the Chartered Institute for Archaeologists (CIfA) standards and guidance for the 'Archaeological investigation and recording of standing buildings and structures' (2014) and the appropriate survey standard as identified in the English Heritage (now Historic England) volume entitled 'Understanding historic buildings. A guide to good recording practice' (revised May 2016).

2. Subject to the conditions attached 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 or heritage with particular consideration being given to the Grade II Listed Building of the application. 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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Chief Executive

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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.

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.