STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

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ST9 0AD

Application no: SMD/2017/0448

Determined on: 01/06/2018

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:
Lower Farm, Consall Lane, Consall Staffordshire ST9 0AD

Description of Development:

Listed Building Consent for the conversion and alteration of redundant former agricultural buildings to form 3no. dwellings

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 works hereby permitted shall be begun before the expiration of three years from the date of this consent.

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 following submitted plans and subject to the following conditions and/or modifications:-

00464 AL(0)01 Rev A;
00464 AL(0)02 Rev A;
00464 AL(0)03 Rev C;

00464 AL(0)04 Rev C;
00464 AL(0)05 Rev C;
00464 AL(0)06 Rev A;
00464 AL(0)07 Rev A;
00464 AL(0)08 Rev B;
00464 AL(0)09 Rev B;
00464 AL(0)10 Rev B;
00464 AL(0)11 Rev B;
00464 AL(0)12 Rev F.

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

3. The development hereby permitted shall not be commenced until samples and details of the types and colours of all roof tiles, facing materials and hard surfaces (including pathways, driveways and patios) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, completed prior to first occupation of the development and retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory.

4. Prior to the commencement of development joinery details for all windows, sky/rooflights,, doors, shutters and glazed screens (including recess depth) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, completed in full prior to first occupation of the development and retained for the lifetime of the development.

Reason:- In the interests of visual amenity and integrity of the Listed Buildings.

5. Prior to the commencement of development details of all cills and lintels including those to be replaced and/or maintained shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details, completed prior to first occupation and be retained for the lifetime of the development.

Reason:- In the interests of visual amenity and the integrity of the Listed Buildings.

6. Prior to the commencement of development details of all rainwater goods including materials, fixings and locations shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details, completed prior to first occupation and be retained for the lifetime of the development.

Reason:- In the interests of visual amenity and the integrity of the Listed Buildings.

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7. Soil pipes shall be internally located unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity and the integrity of the Listed Buildings.

8. Prior to the commencement of development details of all vents, cowls and ducts shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details, completed prior to first occupation and be retained for the lifetime of the development.

Reason:- In the interests of visual amenity and the integrity of the Listed Buildings.

9. Prior to the commencement of development a sample panel of pointing shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details, completed prior to first occupation and be retained for the lifetime of the development.

Reason:- In the interests of visual amenity and the integrity of the Listed Buildings.

10. Prior to the commencement of development a schedule of repair works to the fabric of the historic buildings shall be submitted to and approved in writing by the Local Planning Authority and shall include treatment of floors, walls and ceilings.

Reason:- In the interests of visual amenity and the integrity of the Listed Buildings.

11. Notwithstanding the above approved plans and prior to the commencement of development details of all walls, fences, gates and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Details shall include proposed works to any existing walls, fences, gates and/or other means of enclosure including (but not limited to) infilling openings, removal of gate posts or the changing of heights.
Therafter the development shall be carried out strictly in accordance with the approved details and prior to the first occupation of the development hereby approved.
Reason:- In the interests of visual amenity and the integrity of the Listed Buildings and their setting.

12. Prior to the commencement of development a schedule of demolition works for the removal of the modern agricultural building positioned to the south-east of the application site and attached to the rear of barn number 3 (as identified on approved drawing number 00464 AL(0)12 Rev F) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the finish/making good of the land, any land level alterations and the making good of any damage/repair works needed to the rear (south eastern facing wall) of barn number 3 (as identified on approved drawing number 00464 AL(0)12 Rev F. The development shall then be carried out in accordance with the approved details and be completed in full prior to the first occupation of the development hereby approved.

Reason:- In the interests of visual impact within this visually prominent site.

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Informative

1. During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the scheme was acceptable in terms of its impact upon the Listed Buildings and their setting. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the National Planning Policy Framework.

X

Signed by: Jane Colley

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

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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.