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DISTRICT COUNCIL

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Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ
Tel: 0845 605 3013 • Fax: 01538 483586 • Web: www.staffsmoorlands.gov.uk

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.

Application No: 09/00604/LBC

To:
Mr G Bowker
C/o JPK Design
83 Dimsdale Parade East
Wolstanton
Newcastle
Staffordshire
ST5 8DP

Location of Development:
Ash Hall Nursing Home Ash Bank Road Werrington Staffordshire Moorlands ST2 9DX

Description of Development:
Proposed retirement properties with on site care

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY GRANT LISTED BUILDING CONSENT** for the works described above in accordance with plans ref: 001; 002; 09/1/2235/P; 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 the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the nursing/care home known as Ash Hall.
Reason:-
To avoid any future undesirable fragmentation of the curtilage or the creation of a separate residential use which could harm the setting and character of this listed building.

3. The development hereby permitted shall not be commenced until a sample panel of pointing, at least 1 metre square, is completed on site and inspected and approved in writing by the Local Planning Authority. The agreed pointing sample panel shall then be carried out in accordance with the approved written details and the on-site sample panel.
Reason:-
To ensure that the external appearance of the development is satisfactory.

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4. The development hereby permitted shall not be commenced until samples and details of types and colours of all roof tiles, facing materials and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Materials samples are also required for the gas meter building. The development shall be carried out in accordance with the approved details.
Reason:-
To ensure that the external appearance of the development is satisfactory.

5. The development hereby permitted shall not be commenced until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of any of the buildings on the site.
Reason:-
To provide adequate privacy and an acceptable external appearance.

6. Notwithstanding the window and door details shown on the above approved drawing the development hereby permitted shall not be commenced until detailed plans and sections of the proposed windows and doors at a scale of 1:20 have been submitted to and approved in writing by the Local Planning Authority. Details should include the recess depth of the frame within the aperture; moulded timber sections; finish; opening mechanism and glazing bar subdivision. The development shall then be carried out in accordance with the approved written details.
Reason:-
To ensure that the external appearance of the development is satisfactory.

7. Notwithstanding approved drawing number 09/1/2236/R and before the proposed development is brought into use the new driveway and parking area shall be provided in accordance with plans to be first submitted to, and approved in writing by, the Local Planning Authority which shall thereafter be constructed in accordance with the approved drawings and retained for the life of the development. (Please refer to informative number 2).
Reason:-
In order to comply with the Staffordshire and Stoke-on-Trent Structure Plan (1996 - 2011).

8. The development hereby permitted shall not be commenced until details, including materials and positioning of all rainwater goods have been submitted to and approved in writing by the Local Planning Authority.
Reason:-
In the interests of the visual integrity of the building.

Informatives

Policies B13 and T14 of the Staffordshire Moorlands Local Plan together with PPS1: Delivering Sustainable Development and PPG15: Planning and the Historic Environment have been taken into consideration during the determination of the above application. The proposed retirement properties are considered to be acceptable in principle and are of a good design complimenting the existing original features of the adjacent Grade II Listed Ash Hall.

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In respect of condition number 7 above the applicant is advised that the new driveway and parking layout does not provide sufficient width to enable access/egress from parking bays 3-8 (inclusive). A minimum distance of 6 metres is required to the rear of the parking bays to allow vehicles to manoeuvre.

The applicant is reminded that this permission shall be read in conjunction with approved application reference 09/00597/FUL; the conditions of both 09/00597/FUL and 09/00604/LBC shall be adhered to.

Signed on behalf of Staffordshire Moorlands District Council

11 AUG 2009

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NOTES

1. 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 for the Environment in accordance with Section 20 & 21 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, within six months of the date of the decision notice. 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.

2. If Listed Building consent is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State for the Environment, 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 the 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.

3. 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.

4. If the applicant wishes to exercise the right of appeal referred to in Note 1, the appropriate form on which the notice of appeal should be submitted may be obtained from the Secretary of State for the Department of the Environment, The Planning Inspectorate (PLU/C2), Tollgate House, Houlton Street, Bristol, BS2 9DJ.