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Application no: SMD/2018/0089

Determined on: 31st July 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:

Well Street Mill Well Street Leek Staffordshire ST13 6JU

Description of Development:

Listed Building Consent for demolition of two storey mill annexe, internal and external alterations including removal of external fire escape and new external staircase.

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. Not later than 3 days after development/works first begin on site written notice shall be given to the Local Planning Authority of the date on which development/works first commenced.

Reason:- To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to ensure the Local Planning Authority is informed of the commencement of the first works on the site.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: PL 01E, PL 02C, PL 03D, PL 04G, PL 05F and PL 06B
Reason:- For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the submitted plans, no development shall commence until the following detail has been submitted to and approved in writing by the Local Planning Authority

- a) Full details of all new window and external doors including surrounds
- b) Details of all vents, cowls and ducts.
- c) Rainwater goods (which shall be painted cast iron & soil pipes shall be internal only)
- d) Details of pointing (a sample pointing panel shall be provided for inspection on site and shall be retained during the period of construction)
- e) Scheme of making good for scarring left behind by removal of frontage building and fire escape
- f) detail of front boundary wall – height, materials, finish
- g) details of the new external staircase serving units 13 and 14
- h) Landscaping – street trees
- i) Rooflights
- j) Schedule of internal historic features and proposals for their retention/ removal (including staircases, cast iron columns, roof trusses and windows)
- k) Scheme of recording of Well Street Mill frontage building and Well Street Mill once stripped out.
- l) Scheme of works to convert the historic fabric of the building including floors, walls, ceilings and roof.

The development shall thereafter be carried out in full accordance with the approved details and all works agreed herein shall be completed prior to first use of the building.

Reason:- To protect the character and integrity of this Listed building and in the interests of the character and appearance of the Conservation Area

Informative

The Council considers that the harm occasioned by the demolition of the Annexe building to be less than substantial and outweighed by the public benefits that the scheme will deliver. In respect of the external and internal alterations, the Council has negotiated an acceptable scheme. Overall the proposal will deliver a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

X *B.J. Haywood*

Signed by: Ben Haywood

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.

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.