STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

CTD Architects
Clerk Bank House
Clerk Bank
Leek
Staffordshire Moorlands
ST13 5HE

Mr Scott-Moncrieff
Basford Hall
Basford Green Road
Cheddleton
ST13 7ER

Application no: SMD/2018/0501

Determined on: 18/10/2018

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:
Basford Hall Basford Green Road Cheddleton Staffordshire Moorlands ST13 7ER

Description of Development:
Change-of-use and alteration of a former Stable block to form a single residential apartment

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 details as submitted in the application form and submitted specifications and as shown in drawings:
1769 AL 01 rev A site red edge 1:1250
1769 AL 02 rev A site block plan
1769 AL 03 rev A site block plan as proposed
1769 AL 07 rev B floor plans as proposed
1769 AL 08 rev B elevations as proposed
1769 AL 09 rev B sections as proposed
1769 AL 10 flooring details as proposed
1769 AL 11 – timber casement window details as proposed
1769 AL 12 – timber casement window details as proposed W.1.02
1769 AL 13 door detail as proposed

1769 AL 14 door detail as proposed
1769 AL 15 roof constriction details – protected species
1769 AL 16 gable wall 'water-proofing'
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. In the event that a boundary treatment is to be erected across the southerly-most end of the site red edge details of the material and design shall be submitted to the Local Planning Authority and approved in writing and shall be implemented only in the form and to the details as subsequently approved.
Reason: In the interests of the appearance of the development and the heritage character.

4. Occupants of the dwelling hereby approved shall at all times have rights of pedestrian and vehicular access along the private access drive and the right to park and turn vehicle in the yard area within the red edge to the west of the dwelling as shown on drawing AL 03 rev A.
Reason: For the avoidance of doubt and in the interests of the amenity of the occupiers of the dwelling.

5. The cobbled yard area within the red edge to the west of the dwelling shall not be lifted, relayed or otherwise altered other than to the limited degree necessary to lay the below ground services along the routes indicated in drawing 1769 AL 03 A. Where the services are inserted any of the cobbled surface which is lifted shall be relayed as existing.
Reason: In the interests of the appearance of the development and to safeguard the historic integrity of the development and the setting of the Listed Building.

6. Provisions for bats including the bat loft and roof access points shall be installed in the course of the development in accordance with bat licencing requirements and shall be so retained for the lifetime of the development.
Reason: To ensure appropriate safeguard for bats being European Protected Species.

Informatives

1. Condition 3 – Notwithstanding the design details of the timber gated fence submitted for consideration in the course of determining the application it is considered that a metal work fence / gate is necessary to maintain the connectedness of the overall site and appropriately complement the historic appearance.

2. Condition 6 – The confirmed presence of bats in the building proposed to be developed means that work can only take place if carried out in accordance with Natural England's licensing procedures for work which will affect European Protected Species details of which can be obtained from Natural England at https://www.gov.uk/bats-protection-surveys-and-licences. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

3. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their

nests or take or destroy their eggs. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

4. 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 Listed Building including setting at Church Farm House. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework.

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.