STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Ms Karen Seaton and Mr P Charles
Orchard Farm
Carr Bank
Oakamoor
Stoke on Trent
ST10 3EA

Application no: SMD/2019/0433

Determined on: 03/10/2019

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:
29B Queen Street Leek Staffordshire ST13 6LS

Description of Development:
Internal alterations. Restoration of sash windows as single glazed to match original.
Restoration of stone cill beneath kitchen window.

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:
   1:1250 red edge site location drawing
   1:500 red edge site block plan
   Scheme as Proposed scale 1:100 – layout and elevations
   Structural details scale 1:50 dwg no. 399-001 June 2019
   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. None of the internal structural changes to remove the kitchen chimney breast and walling to the toilet and boiler room hereby approved shall commence until the three windows in the rear elevations and hereby approved have been fitted in accordance with conditions 4 and 5 below.
   Reason: the internal structural changes hereby approved will cause some harm to the historic interest of the Grade II Listed Building and in part have been allowed because of the public benefit in accordance with NPPF paragraph 196 of restoring historically authentic windows to the bathroom, kitchen and boiler house as shown in the drawings hereby approved.

4. As confirmed in the applicant's e-mail of 13th September 2019:
   I. the false ceiling in the attic shall be removed and the rooms opened to the existing ceiling above which follows the profile of the roof slopes;
   II. the casement window to the bathroom shall be replaced with painted softwood, single glazed, eight over eight panes sliding sash window, fitted with black iron fittings - frame and glazing bar profiles to match existing original dining room window;
   III. the top light kitchen window shall be replaced with painted softwood, single glazed, eight over eight panes sliding sash window fitted with black iron fittings - frame and glazing bar profiles to match existing original dining room window;
   IV. the sliding boiler house door shall be removed and replaced with painted softwood, single glazed, six over six panes sliding sash window, fitted with black iron fittings - window size and style to mirror adjacent original at 29a Queen Street with wall below built up in brick to match in colour size and texture that of the existing building;
   V. the existing frame of the attic bedroom window shall be retained and if the casements are replaced the existing metal work catches shall be re-used notwithstanding reference in the e-mail to black iron fittings

   Reason: To ensure that the development is satisfactory and appropriate to the building and its heritage significance.

5. Prior to the installation of the new windows detailed joinery plans and sections of the proposed replacement windows at a scale of 1:5 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as subsequently approved.
   Reason: To ensure that the development is satisfactory and appropriate to the building and its heritage significance.

6. Prior to their installation details of any new fireplaces shall be submitted to and approved in writing by the Local Planning Authority. The fireplaces fitted shall be in accordance with the details as subsequently approved.
   Reason: To ensure that the development is satisfactory and appropriate to the building and its heritage significance.

7. Prior to the installation of any vents or ducts the details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as subsequently approved.
   Reason: To ensure that the development is satisfactory and appropriate to the building and its heritage significance.

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Informative

The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. To the extent that the proposal would result in any harm to heritage this is judged to be 'less than substantial harm' within the meaning of the NPPF and weighed with identified public benefits the scheme is found acceptable overall. Additional details 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 paragraph 38.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.