STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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Application no: SMD/2019/0510

Determined on: 09/01/2020

**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:**
Rickyard Barns, Bradley Lane, Threapwood, Alton, Staffordshire

**Description of Development:**
Listed building consent for alterations and refurbishment to facilitate conversion to single residential building.

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 granted listed building consent shall be begun before the expiration of three years from the date of this consent.
**Reason**: To comply with the requirements of Section 91(1) of The Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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:
Dwg 004 rev D (09.12.2019)
Location Plan 1:1250 scale showing site red edge contained on Dwg 001 rev A
SKCW01 – masonry alterations
**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. Prior to the commencement of development save for the matter of removal of roof

sheets and tiles, a full schedule giving details of all the repair, renovation and alteration works to be undertaken, including work to walls and roof structure including a method statement for taking down and rebuilding, making good and repointing, work to floors, ceilings and treatment of demolition scarring shall be submitted to the Local Planning Authority for approval in writing and the works shall thereafter be undertaken in accordance with the details in the schedule as approved in writing. The existing ventilation slits shall be retained to appear externally visible with any glazing set to the interior of the openings.
**Reason**: In the interests of proper planning and the integrity of the heritage asset.

4. Prior to their use in the development, details including types and colours along with samples of all roofing materials, facing materials and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details as subsequently approved. All pointing shall be of a strength and style appropriate to the type of walling materials used (see SMDC leaflet on pointing) and shall not include 'tuck', 'strap' or 'recessed' pointing. A stone work sample panel shall be completed on site which shall be inspected and approved in writing by the Local Planning Authority (LPA) before stone construction work begins and shall remain on site during the period of construction.
**Reason**: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area and the Listed status.

5. The sample wall panel required by the above condition 5 shall also demonstrate the masonry coursing structure. The development shall be carried out in accordance with the details of stone, coursing structure and mortar mix as subsequently approved in writing by the Local Planning Authority. The sample panel as approved in writing shall be retained on site and shall not be removed until such time as the external walls are complete.
**Reason**: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area and the Listed status.

6. Prior to the installation of windows, doors or other external joinery features detailed plans and sections of the proposed windows and doors at a scale of 1:5 or 1:10 together with details of the materials and proposed finishes 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 in writing.
**Reason**: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area and the Listed status.

7. Prior to the installation of all external flues, vents and extractor equipment details shall be submitted to and approved in writing by the Local Planning Authority and any subsequently installed shall be in accordance with the details as approved in writing.
**Reason**: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the building as a heritage asset and the visual amenities of the area.

8. Prior to the installation of roof lights, details shall be submitted to and approved by the Local Planning Authority and shall be fitted in accordance with the details as approved in writing. Roof lights shall be of Conservation standard and shall be designed to fit flush with the plane of the roof and the frame shall have a black finish. The glazed area shall be subdivided vertically.
**Reason**: To ensure that the external appearance of the development is satisfactory and

appropriate to the building and the character of the rural area and the Listed status.

9. Prior to installation of drainage to serve the development hereby approved drainage plans for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall subsequently be implemented in accordance with the approved details before the development is first brought into use.
**Reason**: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

10. Prior to the implementation of external landscaping and boundary treatments all details including design, layout and materials for boundaries, surfacing, parking and turning areas and bin storage shall be submitted to the Local Planning Authority for approval in writing and shall be completed in accordance with the design details as subsequently approved in writing.
**Reason**: In the interests of the integrity of the heritage asset and the appearance of the development and its setting.

11. No structural alterations shall be carried out to the building other than those outlined in the Structural report by HW Consulting Engineers Ltd dated September 2019 as updated by the addendum to the structural report dated December 2019 or unless a further Listed Building Consent has been sought and granted.

Reason:- In order that the historic character and appearance of the building shall be retained.

**Informatives**

1. With regard to Condition 4, this work would record evidence of phasing, the survival of historic fixtures and fittings and the use of space within the current structure. It would effectively equate to a Level 2 survey as identified in the Historic England volume entitled 'Understanding historic buildings: a guide to good recording practice' (2006). The building recording should be carried out by a suitably experienced historic environment professional or organisation working to the Chartered Institute for Archaeologists (CIfA) standards and guidance for the 'Archaeological investigation and recording of standing buildings and structures' (2014) and the Level 2 survey standard as identified in the English Heritage (now Historic England) volume entitled 'Understanding historic buildings. A guide to good recording practice' (2006). The archaeological watching brief should be carried out by a suitably experienced archaeologist or historic environment organisation working to the CIfA standards and guidance for 'Archaeological watching briefs' (2014).

2. Party Wall Act. Attention is drawn to the requirements of The Party Wall Etc Act 1996 in relation to development close to the boundary of the application site and in particular in respect of the north westerly boundary.

3. 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. Amendments were agreed with the

agent in the course of the determination in accordance with the approach to decision making as advocated in the National Planning Policy Framework at paragraph 38.

X

Signed by: JaneC

**On behalf of Staffordshire Moorlands District Council**

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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.