STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Application no: SMD/2019/0699

Determined on: 08/09/2020

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:
St Wilfrid's Church Cotton Lane Cotton Staffordshire ST10 3DR

Description of Development:
Listed building consent for Conversion of St Wilfrid's Church to four holiday lets, office and associated parking and landscaping works

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:
2016-44-004 revision K – proposed site plan so far as this illustrates the external site
2016-44-110 revision R – proposed ground floor plan
2016-44-111 revision P – proposed first floor plan
2016-44-115 revision J – proposed second floor plan
2016-44-112 revision L – proposed elevations 1 of 2 (north and south)
2016-44-113 revision I – proposed elevations 2 of 2 (east and west)
2016-44-114 revision K – proposed sections

2016-44-116 revision J – proposed roof plan
2016-44-145 revision C – proposed plan with historic features

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. Notwithstanding the annotation in drawing 2016-44-112 revision L north elevation referencing 'proposed Keylite rooflights set within existing roof' no such rooflights shall be fitted within this north facing roof slope.
Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans as amended by negotiated agreement, in the interests of good planning, for clarity and the avoidance of doubt.

4. The development shall be implemented in accordance with and incorporating the measures recommended at section E of the applicant's submitted bat survey report by Mr A D Bird of WDEC dated 7th June 2019. Unless otherwise agreed in writing with the Local Planning Authority (LPA) if any of the measures 1 to 5 (inclusive) at the said section E cannot be implemented then a Natural England European Protected Species Mitigation Licence shall first be obtained prior to continuation of the development and in advance of its first occupation.
Reason: In the interests of maintaining biodiversity and to safeguard the population of European Protected Species.

5. Prior to the commencement of development, both internal and external, a full schedule giving details of all the repair, renovation and alteration works to be undertaken including work to walls, floors and ceilings, including all proposed surface finishes with a method statement for any taking down and rebuilding and structural insertions and for all making good and repointing, details of window and door surrounds, cills and lintels including specific design details of the new external doorways to be created, treatment of crypt and under floor voids shall be submitted to the Local Planning Authority for written approval and the works shall thereafter be undertaken and completed prior to first occupation in accordance with the details in the schedule as approved in writing by the Local Planning Authority.
Reason: In the interests of proper planning and the integrity of the building as a Listed heritage asset.

6. Prior to the removal of and / or re-location of any of the existing fixtures of the building and notwithstanding the submitted 'Proposed Plan with Historic Features' reference 2016-44-145 revision C, approval shall first be obtained in writing from the Local Planning Authority as to the acceptability of the removal and proposed re-positioning. Thereafter the works shall be carried out in accordance with the approved details.
Reason: In the interests of proper planning and the integrity of the building as a Listed heritage asset.

7. Where any new external facing materials are required samples of the facing materials to be used shall first be submitted to and approved in writing by the Local Planning Authority and the work shall be implemented in accordance with the details as approved.

Reason: In the interests of maintaining the character and appearance of the building and its status as a Listed heritage asset.

8. 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 sample wall panel shall be completed on site which shall be inspected and approved in writing by the Local Planning Authority before external facing masonry work begins and shall remain on site during the period of construction. The development shall be carried out in accordance with the details of pointing and mortar mix as subsequently approved in writing by the Local Planning Authority.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area.

9. Prior to the installation of any new or replacement windows and doors, detailed plans and sections of the windows and doors at a scale of 1:20 and 1:10 or 1:5 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained 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, the character of the rural area and the building's status as a Listed heritage asset.

10. No external cowls, vents, ducts flues, pipes or extractor equipment shall be installed at the development hereby permitted without details first being submitted for the written consent by the Local Planning Authority. Thereafter the development shall be carried out with the approved details.
Reason: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the building and the visual amenities of the area.

11. Prior to the installation of rainwater goods details shall first be submitted to and approved in writing by the Local Planning and the rainwater goods shall be fitted in accordance with the details as approved which shall include details of the method of positioning and fixing.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building, the character of the rural area and the building's status as a Listed heritage asset.

12. Prior to the installation of any roof lights, details shall be submitted to and approved in writing by the Local Planning Authority and shall be fitted in accordance with the approved details and thereafter retained in accordance with the details approved.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building, the character of the rural area and the building's status as a Listed heritage asset.

13. Prior to the installation of any external lighting, details shall first be submitted to the Local Planning Authority for written approval and all external lighting shall thereafter be in installed accordance with the lighting details as approved.
Reason: In the interests of the visual appearance of the development in the rural location and to minimise disturbance by artificial light to protected species including bats and

minimise sky-glow across the site and in the interests of heritage.

14. Prior to the commencement of external landscaping or other ground work including changes to levels alongside the north elevation consultation shall be undertaken with Staffordshire County Council Archaeology Service to ascertain what measures of safeguard and or site recording if any may be required in respect of burials and graves within the application site. A written scheme of protection shall be submitted to the Local Planning Authority for approval which shall incorporate any measures required and all landscaping and groundworks shall be carried out in accordance with the scheme of protection as subsequently approved in writing by the Local Planning Authority.
Reason: In the interests of site heritage.

15. Prior to the commencement of external landscaping work including the creation of the parking spaces, a scheme of landscaping including measures for tree root protection of all existing trees which may be affected shall first be submitted to the Local Planning Authority for approval in writing and the landscaping and parking scheme shall be implemented as approved prior to the first occupation of the development.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building, the character of the rural area and the setting of the Listed Buildings.

16. Prior to the installation of site services to the development, details including routing of all service connections shall first be submitted to the Local Planning Authority for approval in writing and shall thereafter be implemented in accordance with the details as approved.
Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building, the character of the rural area and the setting of the Listed Buildings.

Informatives

1. 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 legislation and 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.

2. 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, building alterations 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.

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: Jane Colley

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.