

Mrs Alex Johnson
Wood Goldstraw & Yorath
Churchill House
Regent Road
Stoke On Trent
Staffordshire
ST1 3RH

Mr Stanley
1 The Old Vicarage
Horton
ST13 8PH

Application no: SMD/2021/0748

Determined on: 12th January 2021

Planning (Listed Buildings and Conservation Areas) Act 1990
The Planning (Listed Buildings and Conservation Areas) Regulations 1990

REFUSAL OF LISTED BUILDING CONSENT

Location of Development:

The Old Vicarage, Heath House Lane, Horton, Staffordshire, ST13 8PH

Description of Development:

Installation of 3 No. Replacement Timber Windows to Side Elevation
(works that have already been carried out)

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **HEREBY REFUSE LISTED BUILDING CONSENT** for the works described above and shown in plans numbered 3062-02; 3062-02-01; and 3062-02-02, that were submitted with the application, for the reason(s) specified below:

1. The planning authority, when exercising its primary duty relevant to the consideration of this application, has had special regard to the desirability of preserving the building, its setting, and the features of special architectural or historic interest which it possesses. The works that have already been carried out have introduced window casements that are contemporary in form and appearance and do not relate well to, or replicate, those windows that would have been original to the building or those other existing windows that are of more appropriate and considerate design. The works therefore, have adversely affected the special architectural and historic interest of the building. The works have been carried out to a sizeable area of the side elevation and appear, at ground floor, on an exposed and prominent part of the building where their impact is significant. The works have harmed the significance of a Grade II listed heritage asset, whilst the harm is "less than substantial", it is not outweighed by any public benefits. The works are therefore contrary to Policy DC2 of the Council's Local Plan Development Plan Document (adopted 2020) and Section 16 of the government planning guidance contained in the National Planning Policy Framework (NPPF).

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. 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.
2. 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.
3. 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.
4. If you want to appeal against your local planning authority's decision 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>