STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Application no: SMD/2021/0807

Determined on: 11/11/2022

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:
The Smithy Smithy Lane Farley Staffordshire ST10 3BQ

Description of Development:
Listed Building Consent for the Conservation and Change of Use of The Smithy to Guest Accomodation, Holiday Let.

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 provided in complete accordance with the submitted amended plans and specifications as follows:-

1690 06 120 01
1690 06 120 02
1690 06 200 01
1690 06 200 02
1690 06 250 01
1690 06 250 02

1690 06 100 02
1690 06 100 03

Reason:-
To ensure that the development remains to be in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Notwithstanding the details shown on the approved plans, the existing fireplace shall not be removed or replaced and shall be retained in-situ. Prior to any works taking place to the flue, further details/specification of flue arrangements for the fire place shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details.
Reason:-
In the interests of the character and appearance of a listed building.

4. Before the replacement of the staircase, details of how this and the proposed first floor internal door will be installed having regard to the fireplace and flue location shall be submitted to and approved in writing by the local planning authority and the works shall be carried out in accordance with the approved details.
Reason:-
In the interests of the character and appearance of a listed building.

5. Before the replacement of the staircase, further details/specification of the replacement stairs shall be submitted to and approved in writing by the local planning authority and the works shall be carried out in accordance with the approved details.
Reason:-
In the interests of the character and appearance of a listed building.

6. No sandblasting shall be used on the structure and any low pressure blasting methods shall be carried out only where necessary and in accordance with detailed drawings with photographs to be submitted to and approved in writing by the local planning authority
Reason:-
In the interests of the character and appearance of a listed building.

7. No tanking shall be installed on or inside the structure and no modern plasterboard is to be affixed directly to the stone and any breathable/vapour permeable interventions shall be carried out only in accordance with details to be submitted to and approved in writing by the local planning authority.
Reason:-
In the interests of the character and appearance of a listed building.

8. The bath and or shower units on the first floor must not be affixed, along with any stud walling or modern plasterboard, directly to the historic wall. There shall be a small gap between the stone structural walls and bathroom units to allow excess heat and water vapour to escape and adequately circulate.
Reason:-
In the interests of the character and appearance of a listed building.

9. A small non-invasive extraction system shall be provided before the building is brought into

use in the two small bathrooms for ample ventilation and to aid in the above point in accordance with details to be submitted to and approved in writing by the local planning authority.
Reason:-
In the interests of the character and appearance of a listed building.

10. The application of lime mortar shall be carried out in accordance with details to be submitted to and approved in writing by the local planning authority.
Reason:-
In the interests of the character and appearance of a listed building.

11. The glazing behind the existing timber barn doors on the west elevation of the building shall be carried out in exact accordance with further details of type, materials and texture to be submitted to and approved in writing by the local planning authority.
Reason:-
In the interests of the character and appearance of a listed building.

12. Rainwater goods and gutters shall only be replaced with rainwater goods and gutters of the same design, materials and colours.
Reason:-
In the interests of the character and appearance of a listed building.

X B.S. Haywood

Signed by: Ben Haywood

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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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

9. 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.

10. Domestic sprinklers
    Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building.
    The chance of an accidental discharge is 16,000,000:1
    If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)

11. Working smoke alarms correctly positioned in your home can save your life.
    The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.