

Mr Roy Kinsey
Speller Metcalfe
2 Trinity Court
Wolverhampton
United Kingdom
WV106UH

Staffordshire Moorlands District Council
c/o Agent

Application no: SMD/2024/0103

Determined on: 30th April 2024

**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:

Nicholson Institute Stockwell Street Leek Staffordshire ST13 6DW

Description of Development:

Application for Listed Building Consent for a programme of maintenance required for the lower ground floor

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 permitted shall be carried out in accordance with the following approved plans:-

Location Plan (dated 29th Feb 2024)

Lower Ground Floor plan (Midland Survey Limited)

Existing North Elevation (Midland Survey Limited)

Existing East Elevation (Midland Survey Limited)

Heritage Statement February 2024

Reason:- For the avoidance of doubt and in the interests of proper planning.

3. No work shall commence on any paint removal of internal walls until such time that a Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include:-

- a) method for removal of paint
- b) details of repointing if required with mortar specification

The works shall thereafter be carried out strictly in accordance with the agreed Method Statement

Reason:- To protect the fabric and integrity of the Listed building

4. No works for the replacement of any lintels (para 4.2 of Heritage Statement) shall take place until such time that a sample of the stone and mortar specification has been submitted to and approved in writing by the Local Planning Authority. The stone sample shall be demonstrated in both wet and dry state. The works shall thereafter be carried out strictly in accordance with the agreed details

Reason:- To protect the character and integrity of the Listed building

4. No new paint shall be applied to any walls unless and until full details of the paint, application method and proposed use/design of the respective space has been submitted to and approved in writing by the Local Planning Authority. Any new paint applied shall be carried out strictly in accordance with the agreed details

Reason:- To protect the fabric and integrity of the Listed building

5. Prior to any works of repair/refurbishment to the windows, full details shall be submitted to and approved in writing by the Local Planning Authority which shall include but not limited to:-

- a) full joinery/unit details
- b) materials
- c) colour codes
- d) type of unit
- e) opening mechanism – to match the original as far as possible.
- f) glazing type (double/single/histoglass,obscure, clear for example)

The works shall thereafter be carried out strictly in accordance with the approved details

Reason:- To protect the character and integrity of the Listed building

6. No works for the refurbishment of the parquet flooring shall commence until such time that the following have been submitted to and approved in writing by the Local Planning Authority:-

- a) Extent of flooring requiring refurbishment
- b) Test piece of a chosen sanding system to be undertaken on one slip
- c) Clarification as to the sanding will be by hand or machine
- d)) Full details of any aftercare

The development shall thereafter be carried out strictly in accordance with the approved details

Reason:- To protect the fabric and integrity of the Listed building

7. No permission is hereby implied or given for works referred to in the Damp proof report by Cannan and Clarke (Appendix 2 Heritage Statement) which is provided for information purposes, save for those works included in the Heritage Statement and Maintenance schedule (Appendix 1)

Reason:- For the avoidance of doubt and in the interests of protecting the fabric and integrity of the Listed building from harmful interventions

8. Prior to any works of restoration to the internal fixtures and fittings (Item 4.9 of Heritage Statement) a full schedule of cabinets to be retained shall be agreed in writing with the Local Planning Authority to include the original worktops together with details for their careful removal during works, safe storage and re positioning thereafter together with an implementation timescale. The development shall thereafter be carried out strictly in accordance with the agreed details and timescale

Reason:- To protect the fabric of the Listed building and safeguard its legible history and character

Informative

1. The development is considered to be a sustainable form of development in line with the provisions of the NPPF

X *B.J. 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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: 0333 880 2000.
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.

