STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Ryan Davies
c/o Architect / agent

Application no: SMD/2021/0854

Determined on: 6th August 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:
Warehouse 2 - 4 Silk Street Leek Staffordshire ST13 6HX

Description of Development:
Listed building consent for the conversion, alterations and extension of the two-storey former Warehouse and Silk Shade to create three 3-bedroom properties plus a 2-bedroom detached dwelling in place of the former outbuilding.

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 development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004 and Section 18 of the Listed Buildings Act.

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 the plans referenced as follows:
Plans and elevations LA-GP-0001 PL revision E
'Garage' Plans and Elevations LA-GP-0002-PL revision D
Site red edge on location and site plans on dwg 059-XP-0001
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 there shall have been completed and deposited with the Local Planning Authority (LPA) and with Staffordshire County Council

Historic Environment Record an analytical record of the existing Listed structures (including internal and external) and the work and changes being undertaken comprising drawings, photographs and a written account in accordance with the English Heritage Understanding Historic Buildings: A guide to good recording practice Level 3 standard. The development hereby approved shall not commence until it has been confirmed in writing by the Local Planning Authority that the submitted historic building record has been accepted.
Reason: In the interests of recording and understanding the archaeological heritage of the site.

4. Prior to the commencement of development a full schedule giving details of all the repair, renovation and alteration works to be undertaken including work to walls including a method statement for structural propping at the outset of the development, making good and repointing, work to floors, ceilings and roof structures and including cleaning of walls and including a repair schedule for windows and doors identified for retention shall be submitted to the Local Planning Authority and approved in writing and the works shall thereafter be undertaken in accordance with the details in the schedule as approved.
Reason: To safeguard the Listed Building structure during the works and in the interests of the appearance of the development including in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

5. Prior to the commencement of development and notwithstanding the submitted application documentation details including types and colours along with samples if requested of all new external-facing walling and roofing materials shall have been 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 in writing.
Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

6. Prior to the commencement of development and notwithstanding the submitted documentation details of all new windows and doors including frame dimensions, material finishes and depth of recess within the wall openings shall have been 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 in writing.
Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

7. Prior to the commencement of development details of the proposed floor levels shall be submitted to the Local Planning Authority and approved in writing and the development shall then be implemented in accordance with the levels details approved.
Reason: In the interests of proper planning and the integrity of the Listed Building.

8. Prior to the commencement of development and notwithstanding the submitted details and condition 2 (above) details of all landscaping including boundaries, surfacing, parking and turning areas shall be submitted to the Local Planning Authority and approved in writing. The landscaping, boundaries, surfacing, parking and turning shall be completed in accordance with the design details as subsequently approved prior to the substantial completion of the development or in relation to each individual unit prior to its first coming into use whichever is the earlier.
Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its setting and Highway Safety.

9. All rainwater goods shall be of metal to a profile the detail of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall thereafter be carried out in accordance with the details as subsequently approved in writing.

Reason: In the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

10. No external flues or extractor equipment whatsoever shall be installed at the premises hereby permitted to be developed without the prior written consent of the Local Planning Authority.
Reason: To protect the amenities of occupiers of adjoining properties, the integrity and appearance of the Listed building and the visual amenities of the area.

11. All eaves and verges shall be formed from pointed masonry work up to the intersection with the roof slopes to match the existing structure without recourse to box work or barge boards.
Reason: For certainty and the avoidance of doubt in the interests of the appearance of the development in the Leek Conservation Area and the integrity of the Listed Building and its heritage significance.

12. All exterior lighting shall be installed only in accordance with the submitted Assessed Scheme of Lighting drawing SK-02 and there shall be no variation including no additional lighting unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interests of the appearance of the development including heritage and the amenities of the area.

Informatives

1. Based on the submitted professional ecology assessment it is judged unlikely that bats will utilise the buildings as a place of rest or shelter. However bats are protected by law and in the event that bats or bat droppings are encountered during the development work, all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the specialist advice obtained and with due reference to the law including the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981.

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. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment

as advocated in the National Planning Policy Framework paragraphs 186-187.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

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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.

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.

11. 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)

12. 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.