



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Mrs Tracy Boardman
Project 3 Architecture Ltd
90 Jenkinson Grove
Armthorpe
Doncaster
DN3 2FJ

TOWN AND COUNTRY PLANNING (Listed Buildings and Conservation Area) ACT 1990

Application For: Listed Building Consent

NOTICE OF DECISION

Application No: 22/00431/LBA

Applicant: Mr Tom Guest

Agent: Mrs Tracy Boardman

Proposal: Insert One Conservation Style Rooflight and Increase the Height and Width of the Existing Stair Window, New Kitchen and Alterations to Kitchen Ceiling, New Flooring to the Kitchen/Diner and Repair Works to the Existing Internal Staircase

Site Address: Cumbria Cottage, Town Street, Clayworth, Retford, Nottinghamshire.

The Council have considered the application and hereby **GRANT LISTED BUILDING CONSENT** subject to the conditions which have been imposed for the reasons set out below:

CONDITIONS:

1. The works to which this consent relates shall be begun no later than three years from the date of this consent.

Reason: To comply with Section 51 of the Planning & Compulsory Purchase Act.

2. The development hereby permitted shall be carried out in complete accordance with the following drawings published by the Authority:

- Site Plan and Block Plan Dwg 01
- Amended Proposed Elevations and Sections Dwg 07A (Published 25th May 2022)

- Amended Proposed First Floor Plan Dwg 05A (Published 25th May 2022)
- Amended Proposed Ground Floor Plan Dwg 06A (Published 25th May 2022)

Reason: For the avoidance of doubt and to ensure that the development takes the agreed form envisaged by the Local Planning Authority when determining the application.

3. All external joinery including windows and doors shall be of a timber construction only. Details of their design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The works shall be carried out only in accordance with the agreed window and door details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building.

4. Before any window or door heads and cills are installed, details of their design, material and construction, in the form of scale drawings and material samples/specifications, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed heads and cills details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the listed building.

5. Before the rooflights hereby granted consent are installed, a detailed specification of all new rooflights shall be submitted to and agreed in writing with the Local Planning Authority. The works shall only be carried out in accordance with the approved details. The rooflight(s) specification shall include details of:

- Size;
- Material;
- Colour;
- Method of opening;
- Method of fixing; and
- Appearance.

Reason: To preserve the special architectural and historic interest of the listed building.

6. Prior to the commencement of works, a detailed methodology shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a full schedule of works which comprehensively addresses:
 - a. the repairs to the staircase including any timbers to be replaced;
 - b. any proposed examination and treatment of the historic kitchen flooring to facilitate its reuse and the impact posed by any new flooring and methods of fixing; and
 - c. the removal of the plasterboard ceiling in the kitchen to expose the beams underneath. Any new plastering should be in a lime plaster with breathable whitewash.

Reason: To preserve the special architectural and historic interest of the listed building.

NOTES

- 1 The Council have granted this listed building consent subject to conditions which are considered essential. Where conditions require the agreement of certain details this agreement should be the subject of an application for those conditions to be discharged. Where conditions require agreement of any matter prior to certain works being carried out, the 'Discharge of Condition' application should be submitted and the conditions discharged before those works are carried out on site. **FAILURE TO DO SO COULD INVALIDATE THE LISTED BUILDING CONSENT.** The Council reserve the right to refuse consent for the retention of works not carried out in accordance with the conditions and to take enforcement action to secure compliance with the conditions.

Your right to appeal to the Secretary of State for the Environment against any relevant condition is indicated on the reverse side of the decision notice.

- 2 Two windows have been installed to the rear elevation of the building and these do not appear to have consent. Application 18/00942/LBA was submitted for the installation of these windows, but it appears that this application was withdrawn. The owner should contact the Conservation Team to discuss these.

STATEMENT

The Local Planning Authority has worked positively and proactively with the applicant to seek solutions to problems arising from the application and as such planning permission/consent is granted on the basis of amendments to the originally submitted application.

Date: **31 May 2022**



John Krawczyk
Planning Development Manager
Authorised Officer on behalf of Planning Services
Bassetlaw District Council

Note: Attention is drawn to the Notices attached

Grant of Planning Permission

Application Number: 22/00431/LBA

This permission/approval/consent is given only under the Town and Country Planning Acts. It does not give approval under the Building Regulations.

If you are aggrieved by the decision of the District Planning Authority to grant permission/approval/consent subject to conditions, then you can appeal to the Secretary of State for the Environment.

If you want to appeal and your application was not for *householder development, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. An appeal in respect of an advertisement application must be made within eight weeks.

If you wish to appeal for a *householder development, you must do so within 12 weeks of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider the appeals solely because the local planning authority based its decision on a direction given by him.

If either the District Planning Authority or the Secretary of State for the Environment grants permission/approval/consent subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonable beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions by the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

* Householder application means – (a) an application for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse or (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, **but does not include** – an application for change of use; an application to change the number of dwellings in a building.

Other Acts and non-planning legislation may apply for example Right to Light or Party Wall Act etc. 1996, it is your responsibility to comply.