

DECISION NOTICE



DETERMINATION OF APPLICATION FOR LISTED BUILDING CONSENT

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

Location:	16 Overton, Ludlow, Shropshire, SY8 4DY
Proposed Development:	Removal of existing conservatory and erection of extension to dwelling
Application No.	16/03963/LBC
Date Received:	2nd September 2016
Applicant:	Mr A Taysum-Hunter

Shropshire Council hereby **GRANT LISTED BUILDING CONSENT** subject to the conditions and reasons listed below. Please note that the conditions must be met otherwise legal action may be taken to prevent the development from proceeding.

STANDARD CONDITIONS

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (As amended)

2. No works shall be carried out other than in strict accordance with the approved plans and drawings listed below. This consent does not imply approval of any associated or enabling works not included in the application but which may prove necessary to carry out the scheme. Details of any further works shall be submitted to and approved in writing by the Local Planning Authority before being carried out.

Reason: To define the consent and safeguard the character, appearance and fabric of the listed building, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall commence until samples/precise details of all external materials and finishes, to include decorative treatments/colour schemes, have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with approved details and thereafter maintained.

Reason: To safeguard the character and appearance of the listed building, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy. This information is required prior to commencement of the development since it relates to matters which need to be confirmed before subsequent phases proceed, in order to ensure a sustainable development.

4. No development shall commence until samples/details of the roof construction and materials, to include tiles, ridge tiles and detailing of eaves, valleys, verges and verge undercloaks as appropriate, have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details and maintained thereafter in the absence of any further specific permission in writing from the local planning authority.

Reason: To safeguard the character and appearance of the listed building, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy. This information is required prior to commencement of the development since it relates to matters which need to be confirmed before subsequent phases proceed in order to ensure a sustainable development.

5. No development shall commence until precise details of all windows, doors, roof lights and any other external joinery/fenestration, to include details of window styles, glazing bars, mullions, sill mouldings and colours/finishes, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with approved details and thereafter maintained in the absence of any further specific permission in writing from the Local Planning Authority.

Reason: To safeguard the character and appearance of the listed building, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy. This information is required prior to commencement of the development since it relates to matters which need to be confirmed before subsequent phases proceed, in order to ensure a sustainable development.

CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

6. Except where indicated otherwise on the approved plans, all new external and internal work and finishes, including works of repairs and 'making good', shall match existing original work alongside in respect of materials used, detailed execution and finished appearance.

Reason: To safeguard the character and appearance of the listed building, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy and Policy MD13 of the Shropshire Council Site Allocations and Management of Development Plan.

Informatives

Your attention is drawn specifically to the conditions above which require the Local Planning Authority's prior approval of further details. Requests to discharge these conditions are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority.

Where conditions require the submission of details for approval before work commences, at least 21 days' notice is required in order to allow proper consideration to be given.

Failure to discharge conditions at the relevant stages will result in a contravention of the terms of this permission. Any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

This listed building consent should be read in conjunction with planning permission No. 16/03956/FUL, to which further/alternative conditions are attached.

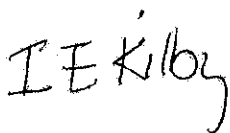
In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework Paragraph 187.

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" which can be found using the following link:
<http://www.shropshirefire.gov.uk/planning-applications>

Approved Drawings

Plan Type	Plan No.	Date Received
Proposed Floorplans	GROUND FLOOR	02.09.2016
Proposed Elevations	SIDE ELEVATION	02.09.2016
Proposed Elevations	EAST ELEVATION	02.09.2016
Proposed Elevations	REAR ELEVATION	16.09.2016
Photographs	16 OVERTON	02.09.2016

16/03963/LBC



Ian Kilby Development Manager
Date of Decision: 25th October 2016

NOTES

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then the applicant can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

An appeal must be made within six months of the date of this notice, or 12-weeks if the scheme is for that of "household" development, or within 8 weeks in the case of advertisement appeals. The appeal must be made on a form which can be obtained from the Planning Inspectorate at Customs Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online through the Planning Portal website at www.planningportal.gov.uk/pcs

Where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is 28 days of the date on the decision notice or the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA has to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 week deadline).

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 any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably 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 District Council requiring the Council to purchase the interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.