

17/00752/LBC

BROXTOWE BOROUGH COUNCIL

NOTICE OF DECISION

LISTED BUILDINGS ACT 1990

TOWN AND COUNTRY PLANNING ACT 1990

Application submitted by :
Mr G Barlow
Fairgrove Homes
Galtee House
1 Heanor Road
Ilkeston
Derbyshire
DE78DY

BROXTOWE BOROUGH COUNCIL having considered an application by or on behalf of

Applicant : **Mr G Barlow, Fairgrove Homes**
File Reference : **17/00752/LBC**
Proposal : **Listed Building Consent for external alterations and conversion of Kiln Stores to two dwellings and associated parking**
Site Address : **Site Of Kimberley Brewery Hardy Street Kimberley NG16 2JX**

as shown on the plans submitted with the application, which application and plans and any relevant correspondence are hereinafter referred to as "the application", HEREBY in pursuance of their powers under the above mentioned Act

GRANT LISTED BUILDING CONSENT

for the demolition/alteration/extension as described in the application, subject to compliance with the Conditions imposed, and the subsequent approval of all matters referred to in the Conditions and for the reasons set out below.

Conditions :

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawings numbered: PL/00/12 Rev A received by the Local Planning Authority on 21 February 2018, PL/KS/103 Rev B, received by the Local Planning Authority on 30th January 2018, PL/KS/104 REV B, received by the Local Planning Authority on 26th October 2018 and the site location plan and block plan, received by the Local Planning Authority on 28th September and 24th October respectively.
3. No building operations in association with the installation of any new rainwater goods, roofing materials and bricks to be used in the exterior of the building shall take place until details and samples of any new materials are submitted to and approved by the Local Planning Authority.
4. Before any works of conversion commence a scheme for limiting the transmission of noise between each residential unit of accommodation and/or any other part of the building which is not exclusively used as a unit of accommodation shall be submitted to the Local Planning Authority. Formal written approval of the scheme shall be obtained from the Local Planning authority and all works must be completed and tested by the developer to the satisfaction of the Local Planning Authority before any of accommodation is occupied.

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5. No development shall commence until plans and sections at a scale of 1:20 or larger are submitted to and agreed in writing by the Local Planning Authority showing materials, frame widths, frame depths, glazing type, opening mechanisms, recess depths, heads, cills, and surround treatments of any new external windows and doors.
6. No works in association with the removal, replacement or creation of any externally visible soil, vent and gas pipes shall commence until plans and sections at a scale of 1:50 or larger are submitted to and agreed in writing by the Local Planning Authority showing precise details of all such additions to be added to the conversion.
7. No dwelling unit shall first be occupied until details of each curtilage boundary treatment for that respective plot have been submitted to and approved in writing by the Local Planning Authority and constructed in accordance with this approved detail.
8. No building works (including demolitions), other than the creation of a hole between the ground and first floors no larger than 600 x 600mm in the location of either staircase to be created shall take place until a Written Scheme of Buildings Recording in accordance with Level 4 of the English Heritage guidelines "Understanding Historic Buildings: A guide to good recording practice", EH, 2006 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be drawn up and implemented by a professional archaeologist, conservation architect or other suitably qualified person and shall include details of provision for publication and archive deposition of the drawings, photographs, and written reports of the site investigation. The Recording shall be implemented in accordance with the approved Written Scheme.

Reasons :

1. To comply with S18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt
3. To ensure the satisfactory appearance of the development, thereby protecting the designated heritage asset in accordance with the NPPF and Policy 11 of the Aligned Core Strategy (2014).
4. To protect occupiers from excessive noise transference between properties.
5. To ensure the satisfactory appearance of the development, thereby protecting the designated heritage asset in accordance with the NPPF and Policy 11 of the Aligned Core Strategy (2014).
6. To ensure the satisfactory appearance of the development, thereby protecting the designated heritage asset in accordance with the NPPF and Policy 11 of the Aligned Core Strategy (2014).
7. To ensure the details are satisfactory in the interests of the appearance of the area, and in accordance with the aims of the NPPF, Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
8. To ensure an accurate record of this building is made and in accordance with the aims of Policy 11 of the Aligned Core Strategy (2014) and the NPPF.

Note to Applicant

1. The Council has acted positively and proactively in the determination of this application by seeking amended plans and additional information to enable the application to progress towards a positive resolution.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>



Authorised Officer

Date: 28 January 2019

Attention is drawn to the notes enclosed