

**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 : **17/00753/LBC**  
 Proposal : **Listed Building Consent to change use from Kilns to create 8 Duplex Apartments and ancillary 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/00/02 Rev 0, received by the Local Planning Authority on 18th October 2017, PL/K/207 Rev D received by the Local Planning Authority on 10 July 2018 and PL/K/205 Rev A and PL/K/206 REV A, received by the Local Planning Authority on 12th October 2017.
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 the materials have been submitted to and approved by the Local Planning Authority.
4. Notwithstanding the detail shown on the plans hereby approved no development in association with the removal, replacement or alteration of any external opening 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.
5. No visible soil, vent and gas pipes shall be added to the Hardy Street elevation of the building. Details, plans and sections at a scale of 1:50 shall be submitted to and agreed in writing by the Local Planning Authority showing precise details of any visible soil, vent and gas pipes to be added to the conversion prior to these works commencing.

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6. The vents to be added to the roofs of the building shall be in accordance with the detail provided by email on 19th and 26th July 2018, namely the UB11 Vepac Slate Vent in a colour to match the existing roofing material in the location shown on plan PL/K/207 Rev D.
7. No building works (including demolitions) 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 Recording shall cover all safely accessible parts of the building only. 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.
8. Before any works to subdivide the building take place details of the internal fixtures and fittings to be retained/incorporated in the scheme shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

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).
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7. 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.
8. 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).

**Note to Applicant**

1. This permission/consent has been granted contemporaneously to a Section 106 Agreement and addendums thereto and reference should be made to these documents.
2. The Council has acted positively and proactively in the determination of this application by seeking amendments and additional information to enable a positive determination.
3. 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/>

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Authorised Officer

Date: 28 January 2019

Attention is drawn to the notes enclosed