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PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990.

**NOTICE OF LISTED BUILDING CONSENT**

Ashwood Design Associates  
Solway House Business Centre  
Parkhouse Road  
Carlisle  
CA6 4BY  
FAO: Mr David Brier

**APPLICATION No: 4/23/2197/0L1**

**LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH MATERIAL CHANGE OF USE OF AGRICULTURAL BARN TO RESIDENTIAL USE AND ASSOCIATED WORKS TO INCORPORATE REMAINDER OF BARN INTO EXISTING RESIDENTIAL PROPERTY & CREATION OF SELF CONTAINED ANNEX WITHIN LOWER FLOOR; AND INSTALLATION OF SOLAR PANELS ON REAR ROOF SLOPE**

**ORCHARD BROW BARN, HAILE**

**Mr & Mrs Douglas**

The above application dated 06/07/2023 has been considered by the Council in pursuance of its powers under the above Act and LISTED BUILDING CONSENT HAS BEEN GRANTED subject to the following conditions:

Standard Conditions:

1. The works hereby permitted must be commenced before the expiration of three years from the date of this consent.

## Reason

To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-
- Location and Block Plan, Scale 1:500 & 1:2500, Drawing No: 006, Revision A, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - As Existing: Elevations and Floor Plans (Amended), Scale 1:100, Drawing No: 001, Revision: A, received by the Local Planning Authority on the 2<sup>nd</sup> February 2024.
  - As Proposed: Elevations and Floor Plans (Amended), Scale 1:100, Drawing No: 002, Revision: B, received by the Local Planning Authority on the 2<sup>nd</sup> February 2024.
  - As Proposed: Floor Plans (Amended), Scale 1:100, Drawing No: 003, Revision: B, received by the Local Planning Authority on the 2<sup>nd</sup> February 2024.
  - Existing and Proposed Section A-A (Amended), Scale 1:100, Drawing No: 003, Revision: B, received by the Local Planning Authority on the 2<sup>nd</sup> February 2024.
  - Window Details, Scale 1:10 & 1:20, Drawing No: 005, Revision: A, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Structural Inspection & Assessment Orchard Brow Barn Existing Floor Structure, Prepared by WDS Ltd March 2018, Ref: WDS/05/4772/LETT002, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Structural Inspection & Assessment Orchard Brow Barn Existing Floor Structure & Internal Support Walls, Prepared by WDS Ltd May 2022, Ref: WDS/05/4772/LETT002, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Alitherm Heritage Brochure, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Lime Mortar Specification, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Survey for Bats, Barn Owls & Breeding Birds, Prepared by Steve Wake August 2017, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Survey for Bats, Barn Owls & Breeding Birds: Supplementary Report Following Original Report in 2017, Prepared by Steve Wake April 2023, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Roof Space Roost for Long Eared Bats, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Planning Statement, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.

- Building Survey: Level II (Amended), Prepared by Gerry Martin Associated Ltd September 2023, received by the Local Planning Authority on the 2<sup>nd</sup> February 2024.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Prior to Installation Conditions:

3. Prior to the first installation within the development hereby approved, details of the proposed solar panels will be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the Heritage Asset.

Other Conditions:

4. The windows and doors within the conversion hereby approved must be fitted with the materials specified on the approved plans:
  - As Proposed: Elevations and Floor Plans (Amended), Scale 1:100, Drawing No: 002, Revision: B, received by the Local Planning Authority on the 2<sup>nd</sup> February 2024.
  - Window Details, Scale 1:10 & 1:20, Drawing No: 005, Revision: A, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.
  - Alitherm Heritage Brochure, received by the Local Planning Authority on the 6<sup>th</sup> July 2023.

All openings must be retained in accordance with the approved details at all times thereafter.

Reason

To safeguard the traditional appearance of the Heritage Asset.

5. The roof of the converted building must be finished with natural slates to match the existing barn and must be maintained as such at all times thereafter.

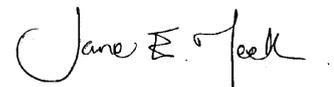
Reason

To safeguard the traditional appearance of the Heritage Asset.

## Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice



Jane Meek  
Assistant Director  
Thriving Place and Investment

26<sup>th</sup> February 2024

## **LISTED BUILDING CONSENT / CONSERVATION AREA CONSENT**

### **NOTICE**

**IMPORTANT:** This permission refers only to that required under the Planning (Listed Buildings and Conservation Areas) Act 1990 and does not include any consent or approval under any other enactment or under the Building Regulations.

**These Notes do not apply when consent is granted unconditionally.**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of the Authority to refuse your application or to impose conditions on the permission with which you are dissatisfied, you may appeal to the Secretary of State under Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. All appeals are handled on behalf of the Secretary of State by the Planning Inspectorate.

If you want to appeal against this decision then you must do so within 6 months of the date of this notice, or such longer period as the Secretary of State may, at any time, allow. Although the Secretary of State can allow a longer period for giving notice of an appeal, he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made electronically. You can find more information online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate) or using a form which you can get from the Planning Inspectorate Customer Support Team (0303 444 50 00).

Please note only the applicant possesses the right of appeal.

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 Authority a Listed Building purchase notice requiring the Authority to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.