

**Planning (Listed Buildings and Conservation Areas) Act 1990**

**LISTED BUILDING CONSENT**

**Applicant:**

Mrs Sally Martin  
C/o Berringtons  
The Valletts  
Wormbridge  
Hereford  
HR2 9BA

**Agent:**

Mrs Liz Hernon  
Hernon Associates  
The Old Shop  
Kingcoed  
Usk  
Monmouthshire  
NP15 1DS

Date of Application: 20 May 2011

Application No: DMS/111206/L

Grid Ref: 339526:227367

**Proposed development:**

**SITE:**

Pontrilas Court, Pontrilas, Herefordshire, HR2 0EH

**DESCRIPTION:**

Renovation of bakery as ancillary domestic accommodation and internal alterations to existing leisure room

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Act that LISTED BUILDING CONSENT has been GRANTED for the execution of the works referred to above in accordance with the application and plans submitted to the authority subject to the following conditions:

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development shall be carried out strictly in accordance with the approved plans (drawing nos. 2248-08, 2278-9 Rev.A, 2278-10 Rev.A and 2278-11 Rev.A), except where otherwise stipulated by conditions attached to this permission.

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of the Herefordshire Unitary Development Plan.

- 3 Notwithstanding the approved details included in the application, additional drawings and specifications in respect of the following matters shall be submitted to the local planning authority before the commencement of any works. The works to which they relate shall subsequently only be carried out in accordance with the details which have been approved by the local planning authority in writing beforehand:

- (a) Windows.
- (b) Balustrade.

Reason: To ensure that the work is carried out in accordance with the details that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy HBA1 of the Herefordshire Unitary Development Plan.

Informatives:

1 It is an offence for any person to:

intentionally kill, injure or take any bats  
intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not. Under the Habitats Regulations it is an offence to damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and Conservation (Natural Habitats &c) Regulations 1994 (as amended) that works to trees or buildings where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural England. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural England (01905 763355) and the Council's Ecologist. You can also call the Herefordshire Bat helpline on 0870 833 9210

2 The decision to grant Listed Building Consent has been taken having regard to the policies and proposals in the Herefordshire Unitary Development Plan 2007 set out below, and to all relevant material considerations including Supplementary Planning Guidance:

DR1 - Design  
HBA1 - Alterations and Extensions to Listed Buildings  
NC1 - Biodiversity and Development  
NC5 - European and Nationally Protected Species

In reaching this decision the local planning authority was mindful of the particular circumstances of the case, namely the extent to which the development complied with policy and the way in which local issues of retaining the character and integrity of these curtilage buildings were addressed.

This informative is only intended as a summary of the reasons for grant of Listed Building Consent. For further detail on the decision please see the application report by contacting The Hereford Centre, Garrick House, Widemarsh Street, Hereford (tel: 01432 261563).

Planning Services  
PO Box 230  
Hereford  
HR1 2ZB

**Date: 14 July 2011**



**TEAM LEADER**

YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

Please note: This consent 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, byelaw, order or regulation.

## NOTES

### Appeals to the Secretary of State

- If you are aggrieved by the decision of the local planning authority to refuse Listed Building Consent or Conservation Area Consent for the proposed works, or to grant consent subject to conditions, you may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- If you want to appeal, then you must do so within 6 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.
- 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.

### Purchase Notices

- If Listed Building Consent or Conservation Area 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 Council a purchase notice requiring that Council 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.
- In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.