

LISTED BUILDING CONSENT

Applicant:

The Owner and/or Occupier
Dynamic Construction Ltd
73 Main Road
Kempsey
Worcester
WR5 3NB

Agent:

Mr Andrew Khoury
Khoury Architects
25 Church Road
Old Swinford
Stourbridge
DY8 2HQ

Date of Application: 19 November 2015

Application No: 153351

Grid Ref:365867:226118

Proposed development:

SITE: Land at Two Parks Farm, Upton Bishop, Ross-on-Wye,
DESCRIPTION: Proposed conversion of a redundant barn into a single purpose residential dwelling with associated parking and gardens.

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 hereby approved shall be carried out strictly in accordance with the approved plans:

Drawing Number 167-P01-01A, P02.G01A, P03-01A, received 11th November 2015
Drawing Number 167.P.01.001C, received 19th November 2015
Drawing Number 167.P.01.001D, received 6th January 2016

and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 3 Before work commences in respect of any of the features identified in this condition, architectural details of windows and their openings, doors and their openings at a minimum scale of 1:5 for general arrangements and 1:1 for joinery sections such as glazing bars, shall be submitted to the local planning authority. The work shall subsequently only be carried out in accordance with details which have been approved in writing by the local planning authority beforehand and thereafter be maintained as such.

Reason 1: 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 LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 4 Before work commences on the features identified in this condition, details of the finishes to be used for all external joinery, timber, plaster and masonry surfaces shall be submitted to the local planning authority]. The work shall subsequently only be carried out in accordance with details approved in writing by the local planning authority

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 5 The chimney flues shall have a dark matt finish of a colour which shall be approved in writing by the local planning authority prior to its installation.

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 LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6 Any work to the brickwork or masonry shall match the existing in materials, finishes, bonding and joint thickness and shall be in accordance with the prior written approval of the local planning authority based on the submission of a method statement stating, inter alia, the tools to be used, samples of the bricks and/or stone to be used, a trial area of repointing and scaled drawings or photographs showing the extent of the replacement of original material.

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Note: The extent of pointing and the cutting out and replacement of brickwork/masonry should be kept to the minimum necessary.

- 7 Before work commences in relation to their installation details, including trade details, of the rooflights to be used and the way they are to be fitted into the roof shall be submitted to the local planning authority. The work shall subsequently only be carried out in accordance with the details to be agreed beforehand in writing by the local planning authority of the size, design, appearance and method of insertion of the rooflight(s).

Reason: To ensure that the rooflights are of an appropriate form and minimise the potential disruption to the appearance and continuity of the roofs in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 8 Before work commences in relation to their installation, details of the guttering, down pipes and all associated fittings shall be submitted to the local planning authority. The work shall subsequently only be carried out in accordance with details approved in writing by the local planning authority.

Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 9 All works of external repair, restoration and replacement are to exactly match the original features, materials and finishes of the building.

Reason: To ensure that all of the works arising from the approved scheme are of an appropriate form in the interest of maintaining the historic character and appearance of the building and to comply with the requirements of Policy LD4 and RA5 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 10 The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, and shall allow him/her to observe the excavations and record items of interest and finds. A minimum of 5 days' written notice of the commencement date of any works shall be given in writing to the County Archaeology Service.

Reason: To allow the potential archaeological interest of the site to be investigated and recorded and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Planning Services
PO Box 230,
Hereford,
HR1 2ZB

Date: 12 January 2016



DEVELOPMENT MANAGER

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

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.

Right to Challenge the Decision of the High Court

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision. Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review (JR).

The decision may be challenged by making an application for judicial review to the High Court. The time limits for bringing such challenges are very strict, and applications need to be made as soon as possible after the issue of the decision notice. So, if you think you may have grounds to challenge a decision by Judicial Review you are advised to seek professional advice as soon as possible.

These notes are provided for guidance only and apply to challenges under the legislation specified. If you require further advice on making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000). For further information on judicial review please go to <http://www.justice.gov.uk>

The Council has taken into account environmental information when making this decision. The decision is final unless it is successfully challenged in the Courts. The Council cannot amend or interpret the decision. It may be redetermined by the Council only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

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.