

LISTED BUILDING CONSENT

Applicant:

Mr J Alderman
The Community Boot Inn (Orleton) Ltd c/o
Ye Olde House
Orleton
Ludlow
SY8 4HN

Agent:

Mr Gary Burton
Burton & Co
Lydiatt Place
Wyson Lane
Brimfield
Ludlow
SY8 4NP

Date of Application: 5 September 2019

Application No: 193135

Grid Ref:349122:267143

Proposed development:

SITE: Boot Inn, Kitchen Hill Road, Orleton, Ludlow, SY8 4HN

DESCRIPTION: Proposed renovation of outbuilding (referred to as The Little House), the works to include repair of oak frame, infill panels and masonry plinth walls, the replacement of asbestos sheet roof with plain clay tile and rebuilding of gable end stack

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 development shall be carried out strictly in accordance with the approved plans (drawing number 1013/19/I, 1013/19/J and supporting documents dated 09/10/2019), 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 SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 2 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 Building & Conservation Areas) Act 1990.

- 3 The following loose items shall be retained on site and stored under cover in a secure place until their reinstatement as part of the works hereby approved. Prior to all items being removed they shall be clearly labelled and a record of the location including photographs and/or scale drawings be submitted to and approved by the Local Planning Authority:

Items to be retained and reused in original position: Add Cast iron range

The development shall be carried out in accordance with the approved details.

Reason: To ensure that specific loose architectural features or fixtures are protected in a secure place from theft, vandalism or unauthorised works during the course of works pending their reinstatement and that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 4 Before any works in relation to the materials specified below begins, details of the following construction materials shall be submitted to and approved in writing by the Local Planning Authority:

Roofing to include as options:

- A sample of the type of roofing material proposed;
- Treatment of gables and cappings;
- Treatment of verges and barge boards and so forth;
- And as shown on drawings to a scale of [1:5] where necessary

A sample of the type of roofing material proposed; New dormers or proprietary rooflights; Treatment of gables and cappings; Treatment of verges and barge boards and so forth; Leadwork details (in accordance with LDA good practice); The means of ventilating the roof;

Flues, vents or other pipework piercing the roof (and decorative finish) treatment of conservatories porches and other external vestibules; And as shown on drawings to a scale of [1:20, 1:10, 1:5, full size etc.] where necessary.

The works shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 5 Before the relevant section of work begins, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

Masonry to include as options:

- a sample panel of brickwork;
- a sample panel of stonework;
- the face bond of brickwork;
- description of the joints proposed;
- mortar mix specification, profile and finish

The works shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 6 No joinery works shall commence until precise details of all external windows and doors and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- Full size or 1:2 details and sections, and 1:20 elevations of each joinery item cross referenced to the details and indexed on elevations on the approved drawings.
- Method & type of glazing.
- Colour Scheme/Surface Finish

The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 7 Details of the material, sectional profile, fixings and colour scheme for Rainwater goods (gutters, downpipes, hopper-heads and soil pipes) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of this element of works. The development shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework

- 8 Prior to commencement of works to the Timber Frame, a fully detailed scheme of repairs to the existing timber frame shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- A method statement, having regard to the structural integrity of the frame.
- Plans, sections and elevations at a scale of not less than 1:50 showing full details of the components to be repaired or replaced with the location of new timber cross referenced with separate detail drawings of the type of jointing used.
- Details of treatment of infill panels including those to be retained insitu.
- A complete specification for replacement timbers The proposed methods of repair, and
- Details of surface treatments or decorative finishes to be applied.

The works shall be completed in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with Policy LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990

- 9 Unless otherwise agreed beforehand in writing by the local planning authority the existing fabric of the building shall be stabilised, maintained, repaired and adapted as approved in situ and the approved conversion scheme shall be carried out without dismantling the timber frame (including the roof) or rebuilding the brickwork or masonry.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework

Planning Services
PO Box 4,
Hereford,
HR4 0XH



KEVIN BISHOP

LEAD DEVELOPMENT MANAGER

Date: 31 October 2019

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.