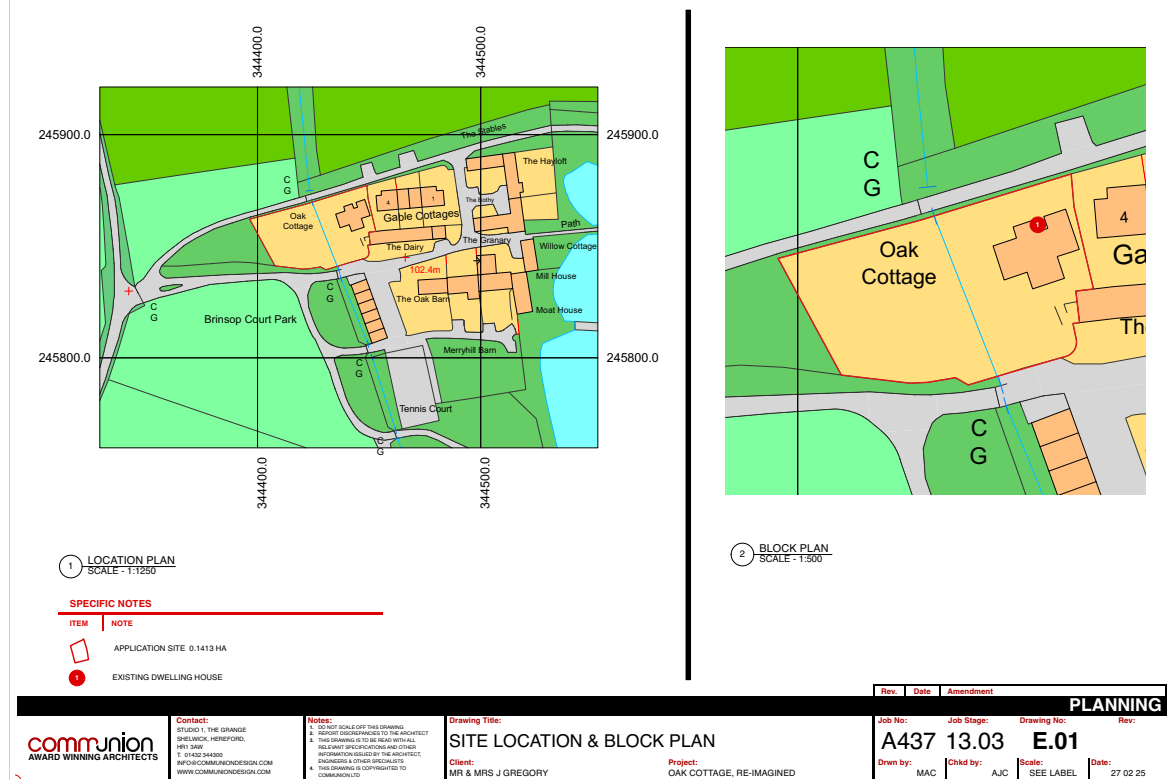




Oak Cottage, Brinsop, Hereford, HR4 7AX

Design & Access Statement (inclusive of justification) for Two Small Extensions and Internal Alterations to the existing house.

Client: Mr & Mrs Gregory
Date: March 2025



Introduction

Background

Oak Cottage is a beautiful example of a vernacular cottage with a swept-tiled roof and timber framed walls, using wood recycled from an earlier building. The cottage dates from the early twentieth century and has an Arts-and-Crafts style. It has been extended twice, first with a two-storey extension to the rear during the mid-twentieth century and second to the side with a garage in the early twenty-first century (DCC032236/F). The extensions have not adversely affected the cottage's character, as they have been designed to complement the appearance and scale of the existing house. Listed building consent was recently granted for repairs to three elevations, including cladding with oak weatherboarding (P223922/L). This work is currently being carried out and is not associated with works proposed in this *Justification Statement*.

Oak Cottage lies north of the hamlet of Brinsop, southwest of Tillington Common and is across from the A480. It is set within the historic estate of Brinsop Court, a Grade-I listed building. The cottage's appearance and development are typical of the Brinsop estate and other estates in Herefordshire.

The cottage is not listed in its own right and its status as a curtilage building can be debated and we are happy to discuss this further.¹ However, given that recent LBC considers Oak Cottage to be curtilage listed we have therefore treated it as

¹ Historic England, *Advice Note 10 - Listed Buildings and Curtilage* (21 February 2018).



a listed building for this pre-application enquiry.² Oak Cottage can also be considered to contribute to the setting of Brinsop Court which lies within an unregistered park and garden.

Proposals

The proposed works are as follows:

1. Two small rear extensions to the existing cottage.
 - 1.1. Firstly, a rear extension to the garage/boiler room. This will be a simple continuation of the existing roof form, to provide a small amount of provisional space and act as a rear entrance/boot room/utility area.
 - 1.2. Secondly, a bay window extension to provide additional light, space and enjoyment of the beautiful setting of the cottage as part of the everyday living space.
2. Upgrades to the existing windows. The existing ones are modern and will be replaced with alternatives which are more sympathetic and will preserve the design and character of the cottage.
3. Internal alterations. A small number of changes to provide a more adequate kitchen and dining area to allow greater appreciation of the garden in this area of the cottage.

² Herefordshire Council, *Delegated Report* (P223922/L), p.2.



4. A new opening at first-floor level. This will provide a nicely sized en-suite to the principal bedroom and will have no impact on the elevations.

The existing accommodation in the house is relatively modest. We believe it is reasonable to provide two small extensions to the rear of the property to enable the residents to enjoy the additional amenities of a larger kitchen and a day-to-day rear entrance/boot room.

The existing kitchen is relatively small and has a poor connection to the garden and the rest of the house. The proposed changes are slight and will provide a significant improvement to the internal arrangements of the house while not having any negative impact on the external elevations.

The proposed boot room extension will be a single-storey addition with a simple pitched roof and a discreet roof light. The side walls are proposed to be finished in a rough cast render to match the appearance of the materials of the houses in this area. New doors and windows will use high-quality painted joinery; they will enable daylight to infuse the internal spaces and will allow access to and enjoyment of the garden externally.

The existing mid-century extension to the rear is relatively plain and has little architectural or historic interest. The proposed bay window is a simple and well-considered addition, using materials already found on site. The roof of the bay window will be constructed in a traditional manner and finished with lead rolls

which will create a very neat join to the existing rear wall. The introduction of larger doors and windows will improve the connection between the inside and outside of the house.

As part of the design process, we have sought to work collaboratively with Herefordshire Council by bringing forward a pre-application enquiry. To aim to ensure that the design is supportable under local and national planning policy. To this end, we have provided appropriately scaled drawings, showing the existing house, the proposed design, and this *Justification Statement*, so the application can be appraised.

This was assessed by Emily Holland, Conservation Officer for Herefordshire Council who, following a site visit on the 7th of February concluded that:

I see little issue with the envisaged project at this stage.

Whilst Oak Cottage is within the grounds and part of the collection of estate buildings to Brinsop Court, the building has no direct line of sight to Grade I Brinsop Court. It has potential to be viewed on approach from the lane, however this is quite minimal and I am not concerned of it becoming overly obtrusive at this time.

The project is seen to work with the existing constraints of the cottage, and would not be seen as overdevelopment. It appears to be reflective of the existing form and scale of the existing conditions.

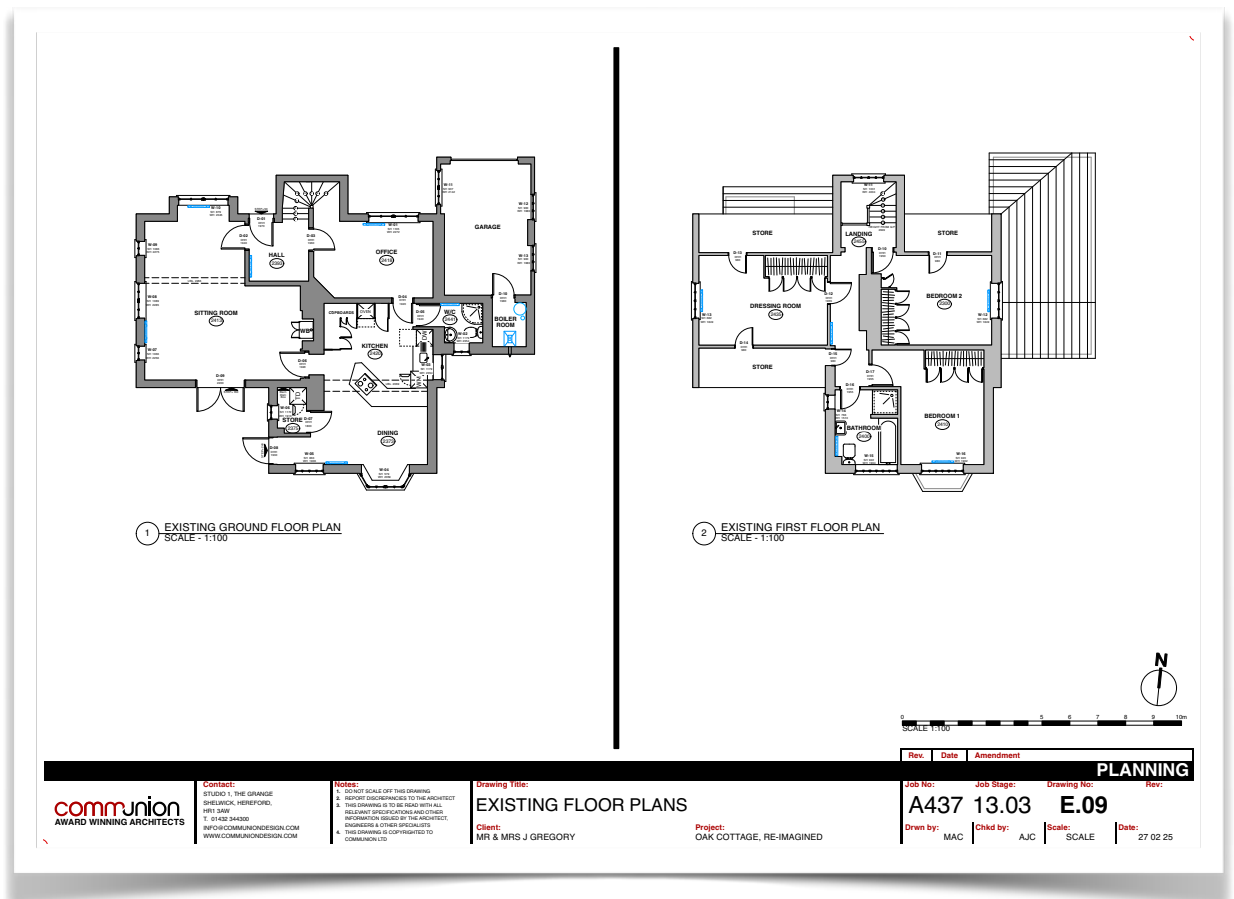
The alterations look to be a practical solution to meet the needs of the applicant whilst providing some enhancement to the building. Appropriate finishing and facing materials, surface finishes including type and colour, and joinery types for replacement windows and or doors should be well considered to ensure a harmonious pairing between new and existing.

The project is seen at this stage as positive, consequently please see the following relevant information on how to submit an application for Listed Building and Planning permissions:

For clarity; the building is confirmed as, and has been assessed as curtilage at a previous time. It was discussed on site and the applicant is aware and has undertaken due diligence

Therefore, overall, we consider that the proposal will secure a high-quality design with a good standard of amenity for our clients and neighbours whilst respecting the site's historic context. The design also aims to deliver a low-carbon development that conserves and enhances the natural environment by creating a sustainable, enjoyable dwelling that takes full advantage of the special nature of the site.

We trust that our plans will result in a successful Planning and Listed Building application.



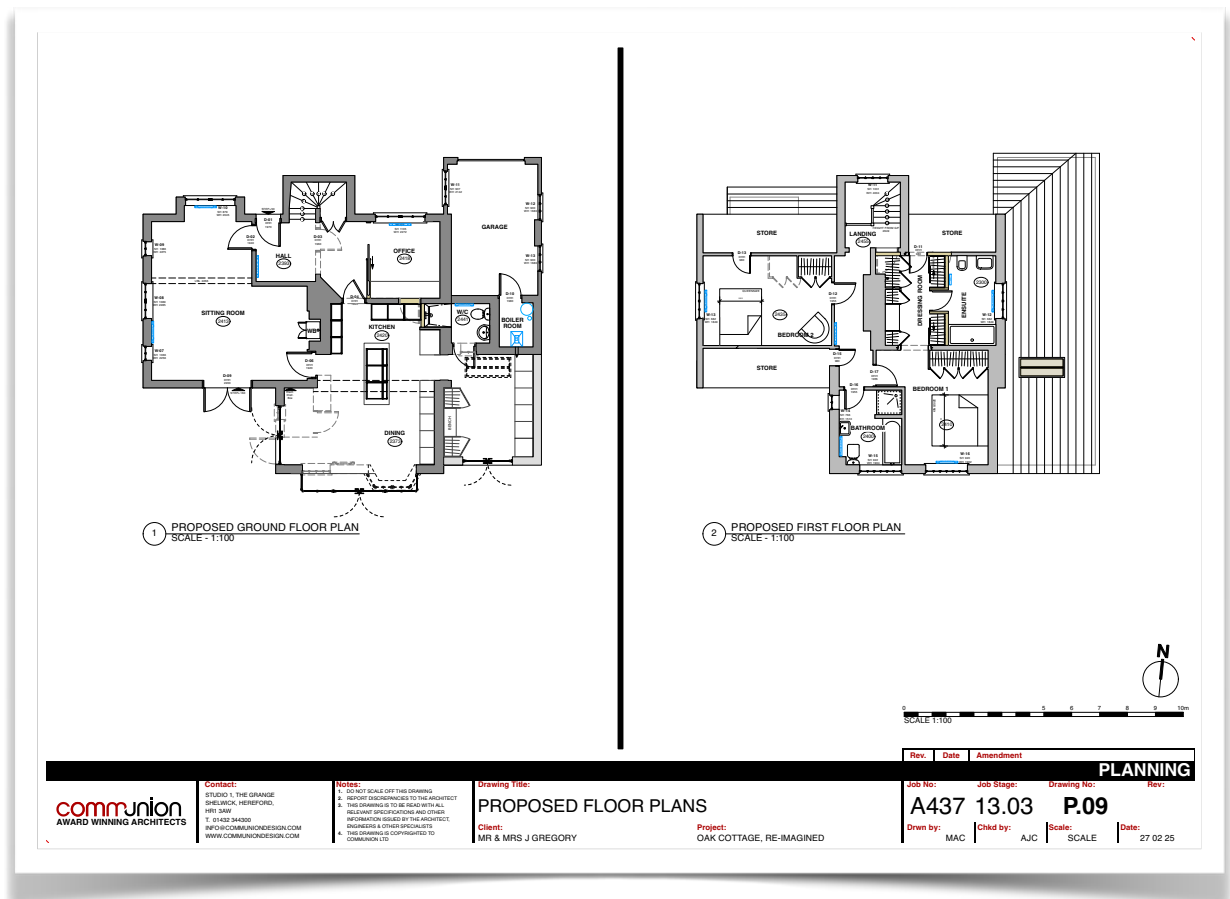
Design Response

Brief

The brief from the clients was to provide a pair of modest and well-designed extensions to improve the existing amenity of the cottage which would not detract from the existing cottage or negatively affect the cultural-heritage significance of the setting.

Design Process

The design response began with a careful assessment of the existing building, its associated fabric and the wider setting, including any potential impact on Brinsop Court. An assessment of the proposals on the special interest of Oak Cottage and Brinsop Court has been included below and has informed the development of the proposed design. The principles set out in HEAN 2 *Making Changes to Heritage Assets* (February 2016) have also informed our approach.



Special Interest of Oak Cottage

To establish the special interest of Oak Cottage HEAN 12 has been consulted.³ Understanding the significance of Oak Cottage aids decision-making and enables the special interest to be preserved or enhanced.

As a presumed curtilage listed building, the primary contributor to the special interest of Oak Cottage is derived from its association with Brinsop Court. Predominantly dating from the early-to-mid fourteenth century, Brinsop Court lies southeast of Oak Cottage and has a pleasant situation with a moat and gardens.⁴ Several farm buildings and cottages were laid out in the early twentieth century, likely at the same time as construction work was taking place at Brinsop Court (1912-13). The 1945 six-inch OS map shows a row of mews houses and a U-shaped range northwest of Brinsop Court, along with another building in the location of Oak Cottage.⁵ The buildings are shown as complete in a 1947 aerial view.⁶ Oak Cottage, therefore, forms part of the historical

³ *Statements of Heritage Significance* (October 2019).

⁴ Alan Brooks & Nikolaus Pevsner, *Herefordshire* (London: 2022), p.134.

⁵ NLS, Herefordshire Sheet XXVI.SW, six-inch, surveyed 1945, published 1952.

⁶ Britain from Above (EAW012124).

development of the Brinsop Estate and is associated with the early twentieth-century modernisation works.

Oak Cottage also possesses some architectural and aesthetic interest derived from its external appearance and historic fabric. The black and white timber-framed elevations and swept eaves confer a light Art-and-Crafts-style character to the cottage. It is also reminiscent of local vernacular architecture typical of Herefordshire, which has numerous black-and-white buildings. Some of the timber beams have been recycled from an earlier structure, conferring some architectural interest. The two later extensions, to the side and rear, generally continue the cottage's character but contribute little to its special interest.

Oak Cottage possesses low archaeological interest. The phases of construction are generally known, although more research could be undertaken to establish more exact dates. Current and future building work also may reveal more information about the construction techniques used for Oak Cottage, and more information may be gleaned concerning the building from which the earlier timbers originally came.

Impact Assessment

Aside from some minor internal alterations, the proposals do not disturb the historic fabric at Oak Cottage. The changes are focused on the more recent extensions to the cottage, which do not contribute to the significance of Oak Cottage. The proposed extensions are located at the rear of the property and will not affect views towards the principal facade. The proposals are of high-quality design that will continue the character of the cottage and will use high-quality materials. The extensions will be constructed using two simple masonry side walls finished in a rough cast render to match the appearance of the cottage. Likewise, the proposed tiled roof will continue the materiality of Oak Cottage, and the proposed roof light will be a subtle and high-quality addition. The proposed bay window will be a high-quality piece of joinery with a traditionally-detailed lead roof. It will be a pleasant addition to the cottage, which will enhance the appreciation of the garden. Overall, the proposals will not harm the special interest of Oak Cottage and its wider setting.

The setting of Brinsop Court

Oak Cottage lies north-west of Brinsop Court and forms part of the historic estate. Given this and the proximity between the cottage and the Grade-I listed manor house, the setting of Brinsop Court has been considered as part of the design process. To identify any potential impacts, the methodology laid out in Historic England's *The Setting of Heritage Assets* has been employed.⁷

⁷ Historic Environment Good Practice Advice in Planning Note 3 (December 2017), p.8.

1. Identify which heritage assets and their setting are affected.

Brinsop Court and its environs, an unregistered park and garden.

2. Assess the degree to which these settings make a contribution to the significance of the heritage asset or allow significance to be appreciated.

The setting of Brinsop Court undoubtedly contributes to its significance. The 1886 six-inch OS map shows a northern approach to Brinsop Court, which bypassed two fish ponds before reaching the fourteenth-century manor house, which was encircled by a wide moat. Beyond the moat was tree planting to the south, ancillary farm buildings to the northwest (later replaced), and agricultural fields surrounding the estate. During Henry Avray Tipping's modernisation of Brinsop Court in the early twentieth century, he also laid out the gardens, further enhancing the setting. Therefore, there is an intrinsic relationship between the heritage asset and its setting, which enhances the appreciation of Brinsop Court.

Oak Cottage and the neighbouring farm buildings form part of the wider setting of Brinsop Court. They were originally built to support the workers on the estate, but in more recent times, they have been sold, and the estate has become a successful wedding venue. The cottages make a very slight and limited contribution, as ancillary estate buildings, to the wider setting and understanding of Brinsop Court. There is a small amount of intervisibility between Brinsop Court and Oak Cottage, via a glimpsed view from the cottage garden. However, there is no co-visibility between Oak Cottage and the manor house.

3. Assess the effects of the proposed development whether beneficial or harmful on that significance

The proposed changes to Oak Cottage are minor in scale and predominantly affect modern fabric. In addition, there is no co-visibility between the cottage and Brinsop Court. Therefore, changes will not affect views towards the heritage asset or the appreciation of its setting. There will be no harm arising from the proposed development.

4. Explore the way to maximise enhancement or minimise harm

Given the minor nature of the proposed development and that there will be no harm to the setting of Brinsop Court, no further mitigations are required.

5. Make and document the decision and monitor outcomes.

The planning documents associated with this application provide evidence of the decision-making process and provide a mechanism for monitoring the outcomes.



Design Summary

The client's brief calls for two modest extensions to allow them to continue to enjoy their home and its setting.

The design looks to deliver sensitively scaled and carefully designed spaces. The new glazed extension will be carried out simply and will be subtly identifiable as a contemporary addition. The proposed design of the single-storey boot room will improve the appearance of this area of the cottage while ensuring that the new space will be subservient to the existing house. The low-profile extensions will modestly increase the footprint of the existing house and will sit sensitively within the wider setting.

The proposals will preserve the special interest of Oak Cottage. The proposed changes are focused on the modern additions, and the historic character of the cottage will be respected. The alterations will use high-quality materials derived from the existing palette and will improve the appearance of some elements of the house.

The proposals will not affect the setting of Brinsop Court, and therefore, its special interest will be preserved. Likewise, the location of the proposed changes will have no negative impact on the unregistered park and garden.

Summary Statement for Ecology:

We can confirm:

1. The site does not lie within, adjacent to or likely to affect a designated site (SAC*, SSSI*, Local Wildlife Site or nature reserve).
2. The project does not involve any material amount of demolition, and therefore, a Preliminarily Ecological Assessment has not been provided.
3. The project does not include the development, alteration, or removal of unoccupied / previously undeveloped land, including woodland, mature trees, hedgerows, scrub, grassland, gardens, orchards, allotments, railways, or brownfield sites.
4. The project does not include development within 20m of a watercourse or within 500m of a pond or ditch.
5. The project does not affect protected species or priority habitats known to occur on or adjacent to the site.

Summary

Communion takes seriously its responsibility of working on sites of nationally important buildings. To this end, we have received a good measure of success, with projects receiving national recognition from many quarters. Working with a presumed curtilage listed building and the setting of a Grade I-listed manor house is a project which requires careful thought.

The design is, therefore, sensitive to this heritage context. We have sought to understand the elements which contribute to the significance of the two heritage assets and develop a thoughtful and well-considered response. The proposal, which is modest in scale, is designed to a high quality and will not harm the special interest of Oak Cottage or Brinsop Court.

The materiality proposed design draws directly from the construction of Oak Cottage while being clearly identifiable as a contemporary addition. For example, the design and detailing of the proposed bay window will be a clear reference to the age in which it is being designed and allow the development of the building to be easily read. This approach is a successful and recognised response used when working within historically sensitive locations. The design and placement of the bay window have also been carefully considered to link the internal spaces with the wider setting of the existing house. Furthermore, the proposals will not affect the principal elevation of Oak Cottage and are subservient in scale to the existing house.

We trust that the above provides a useful starting point to begin the conversation with Herefordshire Council, which in turn will lead to a positive determination of Planning and Listed Building Consent for the scheme.

We look forward to working with you on this project.

Kind regards,

Alex Coppock

Director

BSc Dip Arch GradDipCons (AA)RIBA

Appendix 1: List Entry & Previous Planning and Listed Building Applications

| Research Report | | |
|--|---|--|
| Number and name of project | A437 - Oak Cottage - John & Jayne Gregory | Postcode HR4 7AX /// finishing.movies.laminated |
| Research | | Comments |
| Road Name/Easting & Northing | E344443 , N245870 | |
| Brinsop is a village and former civil parish, now in the parish of Brinsop and Wormsley, in the county of Herefordshire, England. It is 6 miles north-west of Hereford. In 1961 the parish had a population of 111.[1] On 1 April 1987 the parish was abolished and merged with Wormsley to form "Brinsop & Wormsley".[2] | | |
| | Attach OS Map from Mel | Attached |
| Planning Apps Via Council Website https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search | Download any previous application decisions Add to Planning - Research WIP File | Attached and saved in more detail in WIP file |
| Listed Buildings https://historicengland.org.uk/ | Download details, map and file Add to Research WIP File | Attached 2 listed buildings within curtilidge - house and bridge |
| Maps (via council websites) https://www.herefordshire.gov.uk/travel-transport/highways-public-rights-way-map | Look for Pathways, Footpaths Listed Building, Conservation, AONB's Add to Research WIP File | Attached |
| Flood risk https://flood-map-for-planning.service.gov.uk/ | Check flood zone for area and flood from roads Add to Research WIP File | Attached |
| Radon Search https://www.ukradon.org/information/ukmaps | Download map and info. Add to Research WIP File | Attached |
| Trees TPOs via council website https://www.herefordshire.gov.uk/elections-1/administrative-map | Download map and info. Add to Research WIP File | Attached |
| Post Offices/Post Box Locations https://www.royalmail.com/services-near-you#/ | Download info. Add to Research WIP File | Attached |
| Doctors & Hospitals Doctors,Hospitals https://www.nhs.uk/service-search/find-a-gp https://www.nhs.uk/service-search/hospital | Download info. Add to Research WIP File | Attached |

Planning History - Oak Cottage - HR4 7AX

| ➤ Application number | ➤ Site address | ➤ Description | ➤ Type | ➤ Status | ➤ Comments by |
|-----------------------------|--|---|-------------------------|---|-------------------------|
| P223922/L | Brinsop and Wormsley, Weobley, Oak Cottage Brinsop Hereford Herefordshire HR4 7AX | Proposed repair and preservation work to three elevations of the house: the stair turret, to include cladding with shingles (North Elevation) and works to gable ends (West & East elevations). | Listed Building Consent | Determination Made (Approved with Conditions) | Wednesday 10 May 2023 |
| DCC070466/L | Brinsop and Wormsley, Wormsley Ridge - prior 2015, Oak Cottage Brinsop Hereford, Herefordshire HR4 7AX | Replace windows and one external door with new joinery and sealed double glazing retaining existing appearance | Listed Building Consent | Determination Made (Approved with Conditions) | Monday 23 April 2007 |
| DCC051705/E | Brinsop and Wormsley, Wormsley Ridge - prior 2015, Oak Cottage Brinsop Hereford, Herefordshire HR4 7AX | Replacement of existing car port with single bay garage | Planning Permission | Determination Made (Approved with Conditions) | Monday 4 July 2005 |
| DCC032236/E | Brinsop and Wormsley, Wormsley Ridge - prior 2015, Oak Cottage Brinsop Hereford, Herefordshire | Single storey extension to side of house | Planning Permission | Determination Made (Approved with Conditions) | Thursday 2 October 2003 |

LISTED BUILDING CONSENT

Applicant:

M J Hebblethwaite
Oak Cottage
Brinsop
Hereford
HR4 7AX

Agent:

Date of application: 27th February 2007

Application code: **DCCW2007/0622/L**

Grid ref: 44424,45857

Proposed development:

SITE: Oak Cottage, Brinsop, Hereford, Herefordshire, HR4 7AX

DESCRIPTION: Replace windows and one external door with new joinery and sealed double glazing retaining existing appearance

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 in all respects strictly in accordance with the approved plans 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.

3. Before development commences architectural details of window sections, eaves, verges and barge boards at a scale of 1:1 or 1:5 shall be submitted to the local planning authority and approved in writing.

Reason: To safeguard the character and appearance of this building in the interests of a satisfactory form of development.

4. The external joinery of the proposed windows and doors shall have a painted finish. The windows shall thereafter be maintained with the painted finish as approved. The colour of which shall first be approved in writing by the local planning authority.

Reason: To safeguard the character and appearance of this building in the interests of a satisfactory form of development.

Continued

Informatives:

1. Your attention is drawn to the requirements of Part M of the Building Regulations 1991 in respect of the need to provide access and facilities for the disabled.
2. For the avoidance of any doubt the plans for the development hereby approved are as follows:-

Drawing nos. 3 and 4.

3. 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

H18 - Alterations and Extensions

HBA4 - Setting of Listed Buildings

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).

Central Planning Services
PO Box 230,
Hereford
HR1 2ZB



Decision Date: 23rd April 2007

Team Leader - Central

YOUR ATTENTION IS DRAWN TO THE NOTES BELOW

NOTES

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.

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 the Council's decision. Both the date of the decision and the date of the application are clearly shown on the front of this notice. Forms are available from the Planning Inspectorate at Room 3/08B Kite Wing, 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.

LISTED BUILDING CONSENT

Applicant:

Mr John Gregory
Oak Cottage
Brisop
Hereford
HR4 7AX

Date of Application: 14 March 2023

Application No: 223922

Grid Ref:344424:245858

Proposed development:

SITE: Oak Cottage, Brinsop, Hereford, HR4 7AX

DESCRIPTION: Proposed repair and preservation work to three elevations of the house: the stair turret, to include cladding with shingles (North Elevation) and works to gable ends (West & East elevations).

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 (8200-04, 8200-03) and the schedule of materials indicated thereon, including the insulation type confirmed by the applicant on 11.05.2023 by email.

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.

Informative:

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

Planning Services
PO Box 4,
Hereford,
HR4 0XH

Date: 16 May 2023



ANDREW BANKS
DEVELOPMENT MANAGER

YOUR ATTENTION IS DRAWN TO THE FOLLOWING NOTES

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.

DELEGATED DECISION REPORT

APPLICATION NUMBER

223922

CASE OFFICER: Rebecca Buckley

DATE OF SITE VISIT: 15.04.2023

Consultation period end date: 10.05.2023

Target date for determination: 12.05.2023

LOCATION: Oak Cottage, Brinsop, Hereford, Herefordshire, HR4 7AX

SITE DESCRIPTION:

The subject site lies to the north of the hamlet of Brinsop, south west of Tillington Common and accessed from the A480. Oak Cottage itself is situated within the curtilage of a grade I listed building - within the grounds of Brinsop Court. The landscape surrounding Brinsop Court, within which Oak Cottage resides, is also an unregistered park and garden.

The building itself was constructed in the early 20th century in the Arts and Crafts style. The oak timbers that are externally exposed on the building appear to have been reused from a previous historic building, with evidence of previous jointing that is unrelated to the design of Oak Cottage.

PROPOSAL:

The applicant seeks Listed Building Consent to conduct repair and preservation work to three elevations of the house and the stair turret, to include cladding with shingles (North elevation) and works to gable ends (West & East elevations).

PRE-APPLICATION ADVICE:

223459/CE – 09.11.2022

PLANNING HISTORY AND BACKGROUND

- DCC032236/F - Single storey extension to side of house – approved
- DCC051705/F - Replacement of existing car port with single bay garage - approved
- DCC070466/L - Replace windows and one external door with new joinery and sealed double glazing retaining existing appearance - approved

RELEVANT POLICIES

Herefordshire Local Plan Core Strategy 2011 – 2031

| | | |
|-----|---|--|
| SS1 | - | Presumption in favour of sustainable development |
| SD1 | - | Sustainable Design and energy efficiency |

LD4 - Historic environment and heritage assets

Foxley Group Neighbourhood Development Plan:

The Foxley Group Neighbourhood Development Plan is at drafting stage and not a material consideration in this assessment.

National Planning Policy Framework (NPPF) – Relevant Chapters:

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

CONSULTATION RESPONSES

Internal

| | Consulted | No Response | No objection | Qualified Comment | Object |
|--------------------|------------------|--------------------|---------------------|--------------------------|---------------|
| Historic Buildings | X | | X | | |

Historic Buildings Consultee Comments:

Background

Oak Cottage is a curtilage listed building within the grounds of Brinsop Court, a grade I listed building. The landscape surrounding Brinsop Court, which Oak Cottage sits within, is also an unregistered park and garden.

The building itself was constructed in the early 20th century in the Arts and Crafts style. The oak timbers that are externally exposed on the building appear to have been reused from a previous historic building, with evidence of previous jointing that is unrelated to the design of Oak Cottage.

Comments

I have no objection to the principle of the interventions proposed at Oak Cottage. I consider them suitable for the historic building and in line with the relevant legislation and policy. As was discussed at pre-application stage the works are to preserve the surviving historic fabric and prevent any further deterioration. The methods and design features proposed are traditional techniques for managing the effects of weather on exposed timber in historic buildings, and the use of which I support.

The cladding of the north stair turret in cedar shingles to match other existing instances of the material on the building is an appropriate method for physically preventing rainwater and wildlife from further damaging the exposed beams. Whilst this will impact the character of the north elevation, this is limited to the stair turret and avoids the complete replacement of the beams most effected and therefore on balance is justifiable.

I have no objection to the extension of the roofline of the gable end of the west elevation in matching clay roof tiles and the addition of timber barge boards and soffits. This along with the proposed pentice boards will direct rainwater away from the face of the building and prevent further deterioration.

Further clarification/minor amendments are suggested on the following points:

- Drawing 8200-04 of the proposed elevations shows the west elevation with the same cladding as the north stair turret but this is not included in the heritage statement or the drawings/photos document. I believe this may just be an error on the drawing (as this was not discussed at pre-app) but it will need to be amended to accurately show the proposed works before approval.
- I have no objection to the insulating of the north stair turret but I would suggest this was done with a breathable insulation (such as wood fibre board) instead of kingspan. Any moisture that is still present in the historic fabric could be trapped by impermeable insulation and cause further deterioration.

Relevant Legislation and Local Policy

Any planning permission or listed building consent application will be assessed according to national legislation and local policy, with particular consideration for the following:

- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Historic England – Historic Environment Good Practise Advice in Planning – Note 3 The setting of Heritage Assets.
- Historic England – Historic Environment Good Practise Advice in Planning – Note 2 Managing Significance in Decision-Taking in the Historic Environment.
- National Planning Policy Framework
- Herefordshire Local Plan Core Strategy 2011 – 2031 – Policies LD1, LD4
- The local Neighbourhood Development Plan relevant to this site

Representations

| | Consulted | No Response | No objection | Qualified Comment | Object |
|---------------------|------------------|------------------------|-------------------------|------------------------------|---------------|
| Parish Council | X | X | | | |
| Public Consultation | X | X | | | |

PLANNING OFFICER'S APPRAISAL

Appraisal:

Policy context and Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS).

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and was updated in November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any applications.

In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.

Design and impact on the listed building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining planning applications which affect a listed building or its setting, Local Authorities have a statutory obligation ensure the following, ‘special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.

Policy LD4 of the CS indicates new development should protect, conserve and where possible enhance heritage assets. Proposals should use sympathetic design which takes into account the wider context of the area, also underpinned by Policy SD1, which promotes sustainable development.

The proposed works are considered to preserve Oak Cottage and the surrounding area. The proposed materials and proposed techniques to apply them are appropriate, as indicated by the Historic Buildings Consultee and take in to account the advice provided at pre-application stage. The works would be considered to assist in preventing further weather-based damage to the property and would also prevent beams being completely replaced, which is welcomed by the Council.

It is noted the Historic Buildings Consultee indicated an inaccuracy between drawing 8200-04 and the heritage statement. The applicant is advised that drawing 8200-04 will be detailed within a condition attached to the permission and should be implemented as approved. This would resolve the inaccuracy.

The applicant has also confirmed in an email received on 11.05.2023, as was requested by the Historic Buildings Consultee that breathable insulation will be used when insulating the north stair turret, rather than Kingspan. The applicant has offered either HEMSPAN Bio Wall or Rockwool and both would be acceptable. In order to ensure this is acted upon, a condition will be applied to the decision.

Conclusion

The proposed development which is considered to preserve Oak Cottage, would be considered to accord with relevant policy and as there are no other material considerations relevant to this application, it is recommended for approval.

RECOMMENDATION: PERMIT ☒ REFUSE ☐

CONDITION(S) & REASON(S)

| Condition Code (use CNS for non- standard) | Condition details |
|---|------------------------------|
| Standard Conditions | |
| CE7 | Time |
| C07 | Approved Plans and Materials |

Informative Notes

| Informative code (use INS for non- standard) | |
|---|--|
| IP1 | Application approved without amendment |

Final Application Checks

| | |
|---|-----|
| ➤ Habitat Regulation Assessment process undertaken: | N/A |
| ➤ Pre-commencement conditions agreed with applicant / agent: | N/A |
| ➤ Ward Councillor contact made? | N |
| ➤ Redirection request received? | N |
| ➤ Extension of time obtained (if necessary) and PA6 added? | Y |
| ➤ Does any part of this report require redaction before publishing to website - please highlight? | N |

Signed: R Buckley
Dated: 12.05.2023

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

☐

Signed:

A Bunk

Dated: 16/5/23

BRINSOP COURT

Official list entry

Heritage Category: **Listed Building**

Grade: **I**

List Entry Number: **1349793**

Date first listed: **20-Feb-1953**

List Entry Name: **BRINSOP COURT**

Statutory Address 1: **BRINSOP COURT**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries](https://historicengland.org.uk/listing/the-list/understanding-list-entries/) (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

[Corrections and minor amendments](https://historicengland.org.uk/listing/the-list/minor-amendments/) (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address: **BRINSOP COURT**

The building or site itself may lie within the boundary of more than one authority.

District: **County of Herefordshire (Unitary Authority)**

Parish: **Brinsop and Wormsley**

National Grid Reference: **SO 44603 45792**

Details

BRINSOP CP - SO 44 NW 4/2 Brinsop Court 20.2.53 GV I

House. C14, C16 and C17, extended in 1913. Sandstone ashlar, sandstone rubble with sandstone dressings. Timber-frame with plaster and rough- cast infill. Brick stacks. Tiled roofs with some sandstone slates. Quadrangular plan with entrance front to north and early C20 range to east. Two storeys with attics. North elevation is sandstone ashlar apart from C18 brick gable above entry. Seven windows. First floor has to left of gable a 3-light mullioned window flanked by two pairs of trefoil- headed lights. To the right of the gable is a pair of lancets, a chamfered round-headed window and another pair of trefoiled headed lights. Gable has four early C20 six-pane casements under a segmental head. Ground floor has a pair of trefoiled lights and a square headed light to left of entry. To the right of entry is a 2-light window with trefoil-heads to each light and a sunken blind quatrefoil in the tracery. Further to the right is a round headed window with early C20 casement and a pair of lancets. Doorway in gable has brick segmental head and two-leaved ledged early C20 oak doors with enriched strap hinges. Early C20 additions to left run into contemporary east range which has six windows, 2- and 4-light early C20 casements to both floors and ledged door to left-hand side. West elevation has to right, restored timber-framing finished in roughcast. Stone gable to left. Massive external stack with four diagonal brick shafts. Interior (limited access) has fine great hall in south range with three-bay C14 roof comprising cambered tie-beams supporting foiled king-posts and principals, all richly moulded. Fireplace has moulded jambs. Window seats beneath moulded trefoil-headed inner arches. Room in west range has ceiling divided into six panels by deeply chamfered beams and moulded fireplace. (BoE, p 87-8; RCHM, Vol II, p 29 - 31).

Listing NGR: SO4460345792

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: **149683**

Legacy System: **LBS**

Sources

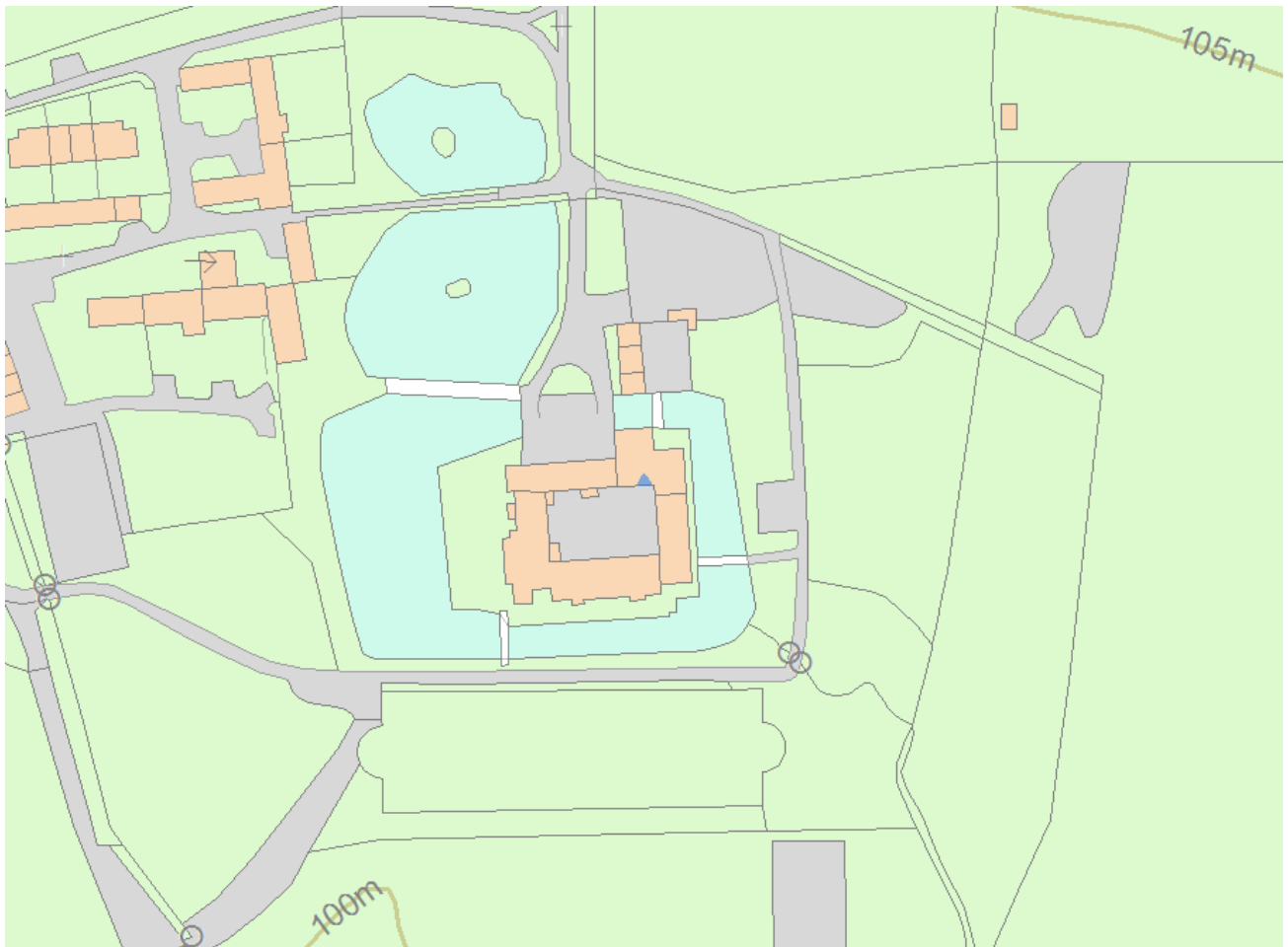
Books and journals

Inventory of Herefordshire II East, (1932), 29-31

Pevsner, N, The Buildings of England: Herefordshire, (1963), 87-88

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



Map

This map is for quick reference purposes only and may not be to scale.
This copy shows the entry on 09-Jul-2024 at 14:29:44.

BRIDGE ABOUT 20 YARDS SOUTH-WEST OF BRINSOP COURT

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1081972**

Date first listed: **09-Feb-1988**

List Entry Name: **BRIDGE ABOUT 20 YARDS SOUTH-WEST OF BRINSOP COURT**

Statutory Address 1: **BRIDGE ABOUT 20 YARDS SOUTH-WEST OF BRINSOP COURT**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries](https://historicengland.org.uk/listing/the-list/understanding-list-entries/) (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

[Corrections and minor amendments](https://historicengland.org.uk/listing/the-list/minor-amendments/) (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address: **BRIDGE ABOUT 20 YARDS SOUTH-WEST OF BRINSOP COURT**

The building or site itself may lie within the boundary of more than one authority.

District: **County of Herefordshire (Unitary Authority)**

Parish: **Brinsop and Wormsley**

National Grid Reference: **SO 44571 45751**

Details

BRINSOP CP - SO 44 NW 4/3 Bridge about 20 yards south-west of Brinsop Court GV II Bridge. Probably early C20 with earlier elements. Sandstone rubble and ashlar. Low segmental arch with dressed voussoirs, aligned north/south. West parapet is stepped to centre on which are the remains of a figure carving. Included for group value. (RCHM, Vol II, p 31).

Listing NGR: SO4457145751

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: **149684**

Legacy System: **LBS**

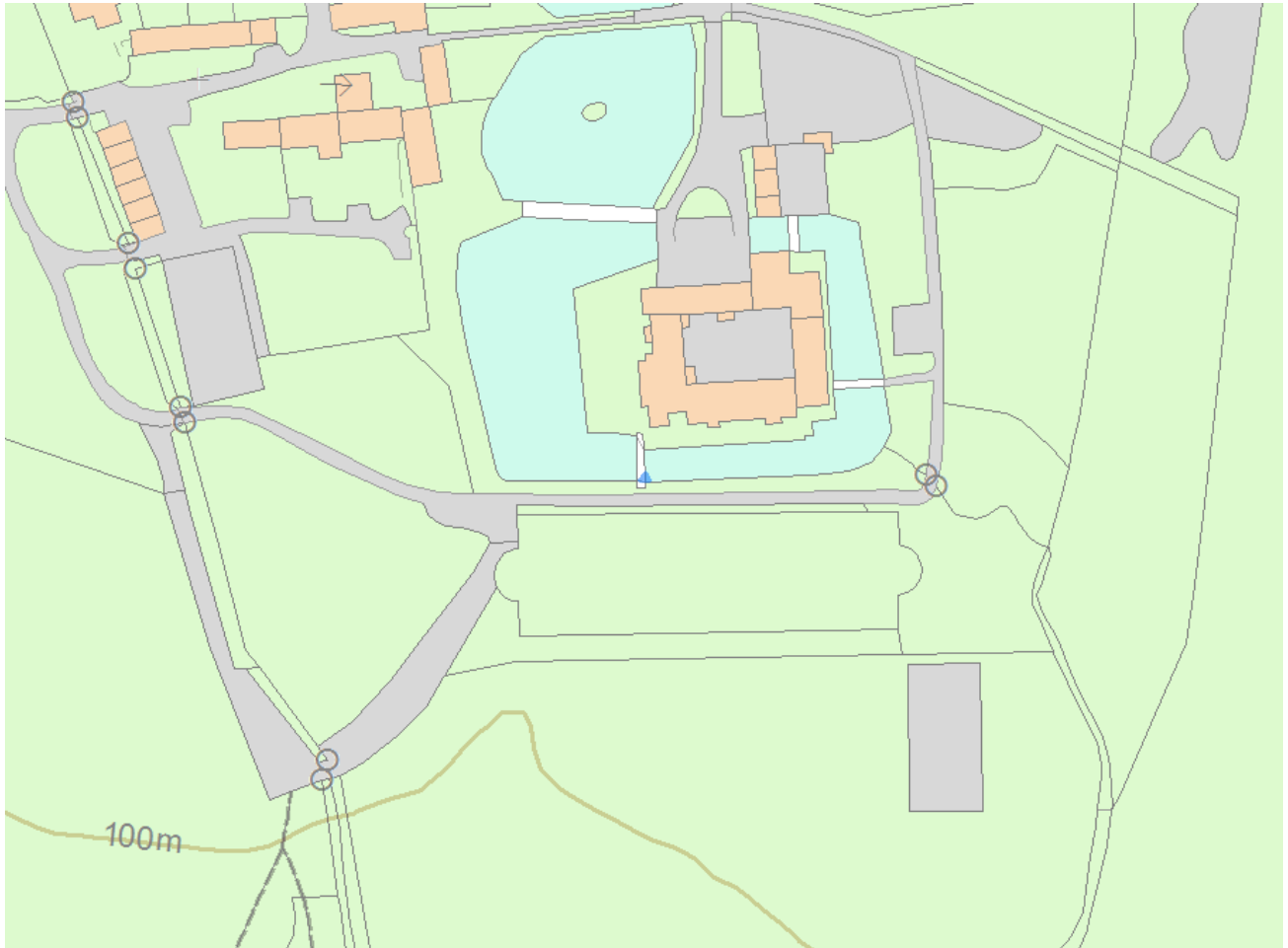
Sources

Books and journals

Inventory of Herefordshire II East, (1932), 31

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



Map

This map is for quick reference purposes only and may not be to scale.
This copy shows the entry on 09-Jul-2024 at 14:31:11.

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[\(https://historicengland.org.uk/terms/website-terms-conditions/\)](https://historicengland.org.uk/terms/website-terms-conditions/).

End of official list entry

Highways and public rights of way map

Highways and public rights of way map (PROW)

The following maps contain data Herefordshire Council is legally required to keep in respect of streets. [Report a problem with a public right of way](#) or alternatively, for road problems visit [report a road problem page](#).

Other maps that may hold related information are the [parks, play areas and sports pitches map](#) and a [map of Herefordshire Council's properties](#).

</

Flood map for planning

Your reference
<Unspecified>

Location (easting/northing)
344431/245877

Created
9 Jul 2024 15:36

Your selected location is in flood zone 3, an area with a high probability of flooding.

This means:

- you must complete a flood risk assessment for development in this area
- you should follow the Environment Agency's standing advice for carrying out a flood risk assessment (see www.gov.uk/guidance/flood-risk-assessment-standing-advice)

Notes

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

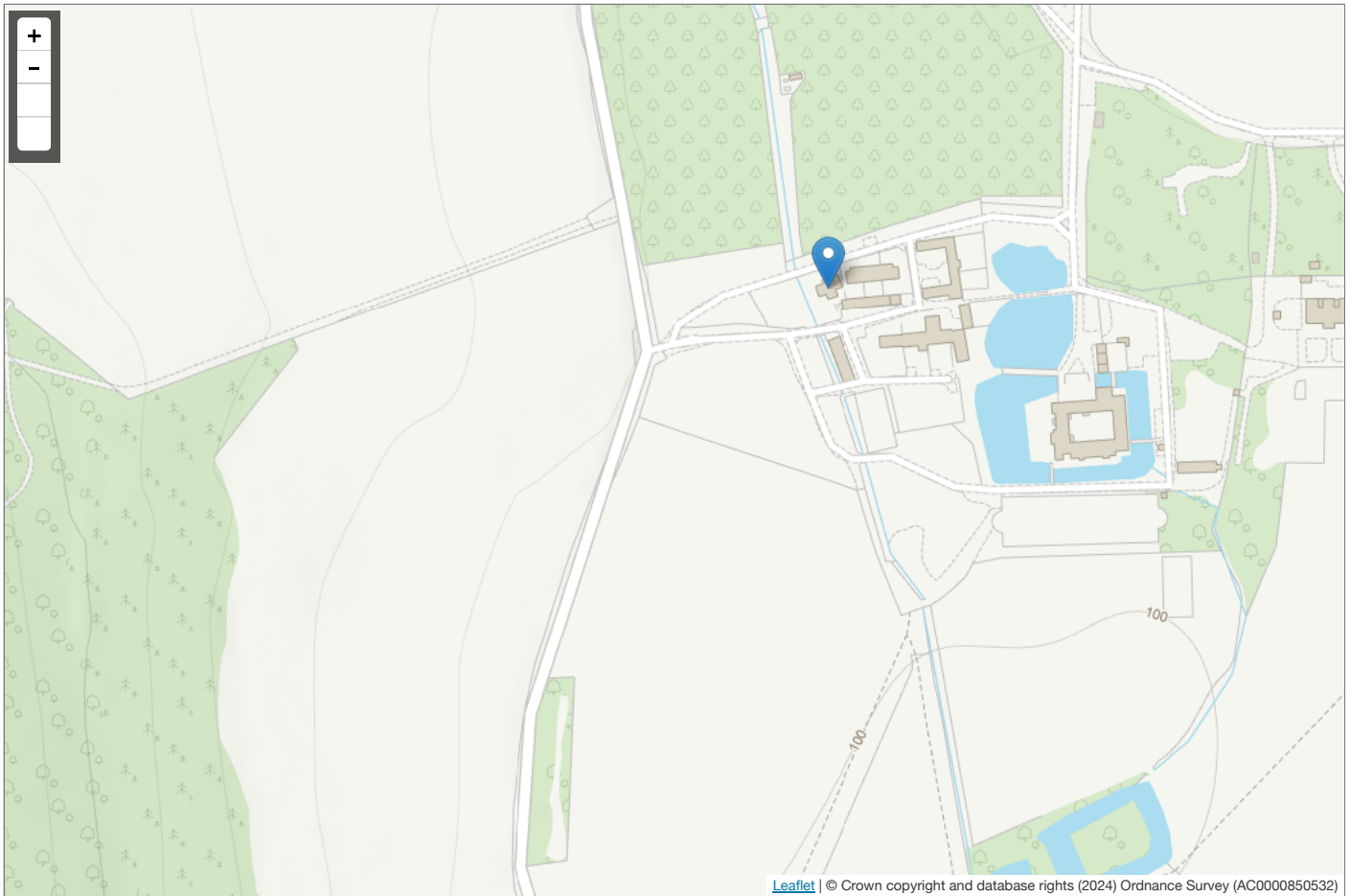
This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

Flood risk data is covered by the Open Government Licence which sets out the terms and conditions for using government data. <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Use of the address and mapping data is subject to Ordnance Survey public viewing terms under Crown copyright and database rights 2022 OS 100024198. <https://flood-map-for-planning.service.gov.uk/os-terms>

Administrative map

This map contains administrative areas (Herefordshire wards, parishes and parish councils) and planning constraints (tree preservation orders and conservation areas) in Herefordshire. To view information about an area click on the boundaries - green for ward and purple for parish. To view highways and public rights of ways in Herefordshire use the [highways and public rights of way map](#).



oak cottage hr4 7ax

Search map

Legend

- Parish Boundaries
- Wards Boundaries
- Parish Wards Boundaries
- Conservation Areas
- Tree Preservation Orders

Toggle map features

- ☒ Parishes
- ☒ Wards
- ☒ Parish Wards

Post Offices and Post Boxes. Oak Cottage

Postbox

Parcel Postbox & Lockers

Parcelshop

Delivery Office

HR4 7AX

Filters

Showing 7 locations

Postbox

No more collections today

TILLINGTON COMMON

HR4

0.5 miles

Get directions

Drop off a prepaid item or return

More Information

Postbox

No more collections today

BRINSOP

LD17

Postbox

Parcel Postbox & Lockers

Parcelshop

Delivery Office

HR4 7AX

Filters

Showing 5 locations

Open now until 18:30

Tillington

Tillington Business Park, Tillington, Hereford, Herefordshire, HR4 8LE

1.4 miles

Get directions

More Information

Closed now

Credenhill Mobile Service

Roadside Opposite 10 Trenchard Avenue, Credenhill , Hereford, Herefordshire, HR4 7DX

1.6 miles

Get directions

Doctors & Hospitals Oak Cottage

GPs covering your postcode

Credenhill Surgery is 1.7 miles away

16 Meadow Drive, Credenhill, Hereford, HR4 7EF. 01432272175

Not accepting new patients

Bobblestock Surgery is 3.7 miles away

Grandstand Road, Hereford, HR4 9LP. 01432272175

Not accepting new patients

Weobley & Staunton on Wye Surgeries is 4.3 miles away

The Surgery, Gadbridge Road, Weobley, Hereford, Herefordshire, HR4 8SN

01544318472

Accepting new patients

Quay House Medical Centre is 4.6 miles away

100 Westfaling Street, Whitecross, Hereford, Herefordshire, HR4 0JF

014323272175

Accepting new patients

Hospitals near HR4 7AX

Hereford County Hospital is 5.6 miles away

Union Walk, Hereford, Herefordshire, HR1 2EP 01432 355444

The County Hospital, Wye Valley NHS Trust is 5.6 miles away

Stonebow Road, Hereford, Herefordshire, HR1 2BN. 01432 355 444

Nuffield Health, Hereford Hospital is 5.7 miles away

Venns Lane, Hereford, Herefordshire, HR1 1DF

01432 355131

Leominster Community Hospital is 8.4 miles away

Wye Valley NHS Trust, South Street, Leominster, HR6 8JH 01568 614211

Bromyard Community Hospital is 14 miles away

Wye Valley NHS Trust, Hillside Road, Bromyard, HR7 4QN 01885 485700

Ross on Wye Community Hospital is 16.7 miles away

Ross on Wye Community Hospital, Wye Valley NHS Trust, Alton Street, Ross-on-Wye, Herefordshire, HR9 5AD. 01989 562100