

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>13 September 2017</b>
<b>TITLE OF REPORT:</b>	<p><b>171931 - GROUND FLOOR: REMOVE INFILL STONE TO EXPOSE INGLENOOK FIREPLACE TO ORIGINAL EXTENT. REPLACE BROKEN CONCRETE FLOOR OF FIREPLACE. INSTALL CHIMNEY LINER. FIRST FLOOR: REMOVE BLANKING PLASTERBOARD TO FIREPLACE AND RENOVATE FIREPLACE AS FOUND. CAP CHIMNEY POT AT COP CASTLE, BRINGSTY COMMON, BRINGSTY, WORCESTER, WR6 5UN</b></p> <p><b>For: Mr &amp; Mrs Shaw per Mr &amp; Mrs Nigel Shaw, Cop Castle, Bringsty Common, Bringsty, Worcester, Herefordshire WR6 5UN</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=171931&amp;search=171931">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=171931&amp;search=171931</a>
<b>Reason Application submitted to Committee – Member application</b>	

**Date Received: 26 May 2017**

**Ward: Bromyard  
Bringsty**

**Grid Ref: 370954,255458**

**Expiry Date: 14 August 2017**

Local Members: Cllr N Shaw

## **1. Site Description and Proposal**

1.1 Cop Castle is a Grade 2 listed timber framed cottage dating back to the 17th century. It is one of a number of detached buildings dispersed within Bringsty Common.

1.2 The proposal involves internal work to the property, namely:

- (i) The removal of infill stone to expose the original extent of an inglenook fireplace;
- (ii) The replacement of a concrete floor to the fireplace;
- (iii) Installation of a chimney liner;
- (iv) Removal of plasterboard to a fireplace on the first floor;
- (v) Renovation of fireplace area;
- (vi) Capping of chimney pot.

## **2. Policies**

2.1 Herefordshire Local Plan Core Strategy

SS1 - Presumption in Favour of Sustainable Development

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Further information on the subject of this report is available from Hazel Nash on 01432 261903

- SS6 - Environmental Quality and Local Distinctiveness
- LD4 - Historic Environment and Heritage Assets

## 2.2 NPPF

Chapter 12: Conserving and enhancing the historic environment

## 2.3 NPPG

Design (ID26): Form, Scale, Details, Materials

## 2.4 Neighbourhood Plans

The Neighbourhood Plan for Whitbourne was adopted in December 2016 and therefore accords significant weight in the determination of the applications.

[https://myaccount.herefordshire.gov.uk/media/5026194/whitbourne\\_ndp.pdf](https://myaccount.herefordshire.gov.uk/media/5026194/whitbourne_ndp.pdf).

Policy LU3 – Conservation Area

## 2.6 Planning (Listed Building and Conservation Areas) Act 1990, s66.

## 2.5 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

## 3. Planning History

### 3.1 Decision Notice 051685 – Installation of a satellite dish, sun pipe and associated skylight – approved with conditions

## 4. Consultation Summary

### Statutory Consultations

#### 4.1 None

### Internal Council Consultations

#### 4.2 Conservation Manager (Historic Buildings): Support

##### *Removing stone infill*

The removal of this stone will better reveal the form of the original fireplace. It should be removed with care not to damage the timber lintel and surrounds.

#### 4.3 *New tiles*

There is no restriction on type of tiles to replace the broken concrete floor. Stone or sympathetic tiles as suggested in the application would be permitted.

#### 4.4 *New chimney liner*

A new chimney liner would not adversely affect the character of the building and would allow the beneficial use of the fireplace enabling the future survival of the building through appropriate heating.

4.5 *Removal of plasterboard panel in first floor bedroom*

This would be permitted as there is good evidence this is the location of an existing fireplace which has been blocked in. Revealing any original fireplace would help in the understanding of the original use of the building and reveal an interesting historical feature. The panel should be removed with care to avoid damage to the building's timber frame.

4.6 *Fitting a chimney cowl*

This would have minimal visual impact on the listed building and allow better use of the chimney and so would be permitted.

## 5. Representations

5.1 Whitbourne Parish Council - no comments received.

5.2 The consultation responses can be viewed on the Council's website by using the following link:-

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=171931&search=171931](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=171931&search=171931)

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

## 6. Officer's Appraisal

6.1 Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 provides that: "in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states: "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." This means that there is a presumption in favour of the development plan unless material considerations can be considered to outweigh it.

6.3 The Herefordshire Local Plan ('HLP') is the development plan. The Core Strategy (CS) is a fundamental part of the HLP and sets the overall strategic planning framework for the county, shaping future development.

6.4 Of particular relevance is Policy LD4 of the HLP which sets out that development proposals affecting heritage assets and the wider historic environment should, amongst other things "protect, conserve and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible."

6.5 Similarly, Chapter 12 of the NPPF, in particular paragraph 131, provides that in determining planning applications, local planning authorities should take account of the "desirability of sustaining and enhancing the significance of heritage assets".

6.6 The proposed works are considered to be sympathetic to the building, taking into account the Grade 2 listing of the asset. The removal of stone to reveal more completely the fireplace is considered to be not only protect and conserve the heritage asset but enhance it, thereby complying with Policy LD4 of the HCS. Similarly, the careful removal of plasterboard in the first

floor bedroom has the potential to result in the discovery of more of the history of the building, reflecting Policy LD4 of the HCS.

- 6.7 The installation of the chimney liner and cowl are considered to enhance the Grade 2 listed building through enabling the original reuse of the chimney in a safe manner thereby protecting the building in compliance with policy LD4.

**Conclusion**

- 6.8 This is a modest and sympathetic proposal for the Grade 2 listed building, Cop Castle, which complies with section 16 and 66 of the Planning (Listed Building and Conservation Area) Act 1990 and accordingly, Chapter 12 of the NPPF, Policy LD4 of the HLP and policies contained in the WNDP. Consequently, the proposals are recommended for approval.

**RECOMMENDATION**

**That listed building consent be granted subject to the following conditions:**

- 1. D01 – Time limit for Commencement (Listed Building Consent)
- 2. B02 – Development in Accordance with Approved Plans and Materials

**INFORMATIVES:**

- 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.

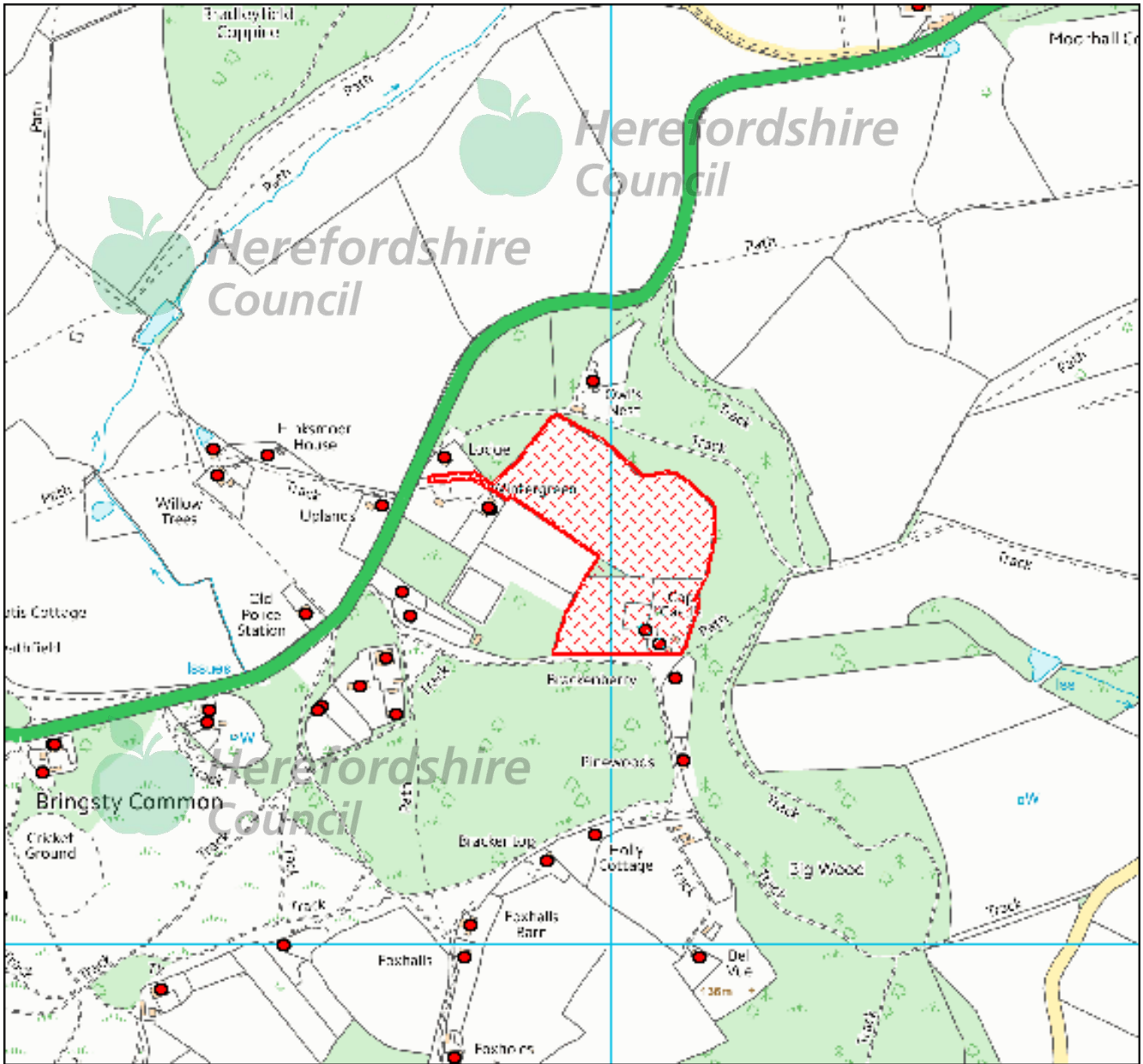
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** 171931

**SITE ADDRESS :** COP CASTLE, BRINGSTY COMMON, BRINGSTY, WORCESTER, HEREFORDSHIRE, WR6 5UN

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Further information on the subject of this report is available from Hazel Nash on 01432 261903