

2 NC2003/1825/F - EXTENSIONS AND ALTERATIONS TO PUBLIC HOUSE AND ADDITIONAL CAR PARKING AREA AT LIVE & LET LIVE, BRINGSTY COMMON, BRINGSTY, HEREFORDSHIRE, WR6 5UW

3 NC2003/1826/L – SAME AS ABOVE

For: Mr & Mrs A Clarke at the same address

Date Received:

27th June 2003

Expiry Date:

22nd August 2003

Ward:

Bringsty

Grid Ref:

69978, 54843

Local Member: Councillor T W Hunt

1. Site Description and Proposal

- 1.1 The Live and Let Live is a Grade II Listed Building of timber-framed and stone construction under a clay tiled roof. It is situated on Bringsty Common approximately 400m off the A44 from where it is accessed via an unmade track.
- 1.2 The site lies within an Area of Great Landscape Value and there is public access along a network of footpaths which criss-cross the common.
- 1.3 The application is in two parts. Firstly are the extension and alterations to the listed building and secondly the formation of a new parking area.

2. Policies

2.1 Malvern Hills District Local Plan

Conservation Policy 9 – Alterations and extensions to listed buildings
Landscape Policy 3 – Development in Areas of Great Landscape Value
Transport Policy 11 – Traffic Impact

2.2 Herefordshire Unitary Development Plan (Deposit Draft)

DR1 - Design
LA2 - Landscape character and areas least resilient to change
HBA1 - Alterations and extensions to listed buildings

- 2.3 PPG 15 – Planning and the Historic Environment.

3. Planning History

NC2001/2656/F - change of use from public house to residential. Withdrawn

MH98/0001 - Change of use from Public House to dwelling. Refused 10.3.98. Appeal dismissed 3.1.99. DoE ref. T/APP/W1850/A/98/299935/P2.

MH96/1019 - Change of use from Public House to dwelling. Refused 10.12.96.

MH0095/92 - Extensions and alterations. Listed Building Consent refused 14.4.92.

MH0094/92 - Extensions and alterations. Refused 14.4.92.

MH1074/86 - Replacement signs. Approved 22.7.86.

4. Consultation Summary

4.1 English Heritage: 'The main conservation issue here is one of relative scale.

A part of the significance and character of a small historic cottage is that it is small - that is one of the stories of the past that it conveys to us and to future generations. In these circumstances an extension that rivals or exceeds the size of the historic building is therefore almost always going to be harmful in conservation terms, however sympathetically it is designed.

That is the case with the present proposal, therefore English Heritage firmly recommends that it should not receive planning permission or listed building consent.

4.2 Society for the preservation of Ancient Buildings (SPAB): our particular concern is the size of the proposed addition. Replacement of the existing extensions may prove acceptable (if it is clear that they have no architectural or historic interest) but the main front range must be allowed to remain architecturally dominant. We are concerned that side and rear additions of the size currently proposed would overwhelm the historic building. Some reduction in size seems likely to be necessary.'

4.3 The Georgian Group: 'The building is outside the period in which the group is interested. We defer to the comments of the other national amenity societies.'

4.4 Responses by internal consultees that raise material planning issues are summarised and considered in the Officer's Appraisal.

5. Representations

5.1 Linton parish council: supports application but would draw attention to the sewage, which has been a problem in the past. The proposal will increase its usage. The mobile home should be sited for the duration of the works. Draw attention to the new gateway, is it off the commons?

5.2 Herefordshire Nature Trust: no response received at time of writing report.

5.3 A standard petition letter was sent in with 180 signatures supporting the application on the grounds that it provides additional space for a family whilst retaining the original character of the old public house.

5.4 Further letters of support were received from Bringsty Action Group; Mark Haslam, CAMRA Malvern; C.J Landsborough, Hinksmoor Cottage, Bringsty; A & K Taylor, Hinksmoor House, Bringsty; Richard Putley, 3 Foxglove Close, Malvern and Julian Wood, Winspur, Bringsty.

The main points/issues raised relate to:

- Community has missed out on 'gathering' place.
- The pub's re-opening will renew sense of community
- The need for a meeting place goes beyond need to preserve listed building
- Should be allowed to make changes needed to comply with hygiene and health and safety.

5.5 Letters of objection have been received from the occupiers of the 3 neighbouring properties, S. Hill, Baytrees, P. Healy, Primrose Cottage, and Mrs S Dodd of Brookside.

The main areas of concern relate to:

- Commercial car park facing directly windows in property. Will have serious impact upon privacy
- The car park is adjacent to back garden and will as such substantially affect the quality of life currently enjoyed
- Access track currently only serves 2 dwellings. Query over right of access and bringing public further onto common.
- Potential nuisance from any lighting
- Excessive parking provision for size of public house
- Alternative site may be less intrusive
- Concerned over additional wear and tear to track
- Where is 'run off' from car park going to go?

5.6 The full text of these letters can be inspected at the Planning Services, PO Box 230, Blueschool House, Blueschool Street and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The special interest of this listed building lies in the fact that it remains a relatively unharmed example of a small late mediaeval building peculiar to this area.

6.2 This type of building, with its eyebrow dormer is becoming increasingly rare and precious as the pressure to extend increases.

6.3 Prior to the submission of this application lengthy informal discussions took place with the applicant and agent with the aim of reducing the scale of the proposal which was felt to dominate the listed building.

6.4 These concerns have been concurred with by both English Heritage and the Society for the protection of Ancient Buildings whose grounds for objection are set out in Section 4 above.

- 6.5 Further to the receipt of these consultation response a meeting was held with the applicant at which it was agreed that the necessary revisions would be undertaken, namely:
- The deletion of the rear kitchen wing, reduction in bulk and simplification of roof details, internal re-configuration to delete number of toilets to allow reduction in depth and investigation of most appropriate location for linked extension. In addition the concerns regarding the new parking areas need to be addressed.
- 6.6 The proposed new car parking area is at the bottom of a steep, uneven track which is not wide enough for 2 cars to pass. The access into the car park is restricted with poor visibility, however the majority of vehicles will be going to the car park with only 2 cottages beyond the car park.
- 6.7 The potential impact on the amenities of occupiers of adjacent residential properties in an issue which needs to be addressed including any necessary screening and limits and regarding lighting and access.
- 6.8 Subject to the receipt of satisfactory revised drawings, which maintain the character, and dominance of the existing listed building and safeguard the amenities of occupiers of adjacent residential properties, the scheme can be supported.

RECOMMENDATION

NC2003/1825/F

That subject to the receipt of satisfactory amended drawings and parking details and no new grounds of objection being raised, the officer named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

Plus other conditions under the following headings:

- 4 – Surface and foul water drainage details including discharge from car park**
- 5 – Maintenance of access**
- 6 – Pedestrian access to car park**
- 7 – Lighting**
- 8 – Signage**
- 9 – Landscaping, including retention of hedge and reinstatement of grassed area adjacent to public house**

10 – Boundary treatment

Notes to applicant:

- 1 The applicant is advised that commercial access agreement will have to be negotiated with the County Land Agent.
- 2 Mobile home to be removed from site upon completion of building work.

NC2003/1826/L

That subject to the receipt of satisfactory amended drawings and no new grounds of objection being raised, the officer named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

- 1 - C01 (Time limit for commencement (Listed Building Consent))

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

- 2 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

- 3 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

- 4 - (Details of window sections, eaves, verges and barge boards)

Reason: To safeguard the character and appearance of this building of special architectural or historical interest.

- 5 - No member nor part member of the existing timber frame, floor joists and boards nor roof timber shall be removed without the prior consent of the Local Planning Authority.

Reason: To protect the fibre of this listed building.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.