

**13A DMCE/091754/F - ERECTION OF FREE STANDING TIMBER DECK TO FRONT OF PUBLIC HOUSE, DECK TO INCLUDE AMBULANT STEPPED ACCESS. PROVISION OF SATELLITE DISH TO BUILDING FRONTAGE AT NEW INN, BARTESTREE, HEREFORD, HR1 4BX**

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**For: Ms P Bird per Derek Whittaker Architect, 1 Farjeon Close, Ledbury, Herefordshire, HR8 2FU**

**Date Received: 26 October 2009 Ward: Hagley Grid Ref: 356039.0,241208.0**

**Expiry Date: 21 December 2009**

Local Member: Councillor DW Greenow

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

- 1.1 The New Inn is located in the heart of the village of Bartestree to the north of the A438 which runs through the village. The building is set back from the highway and is a large detached red brick building. It represents a particularly fine neo-gothic villa, and has been used as a public house since the 1950's. The building is grade II listed and has arched heads to all the windows and bands of decorative tiling. To the front and west of the building are grassed areas used in the summer as a beer garden, with car parking to the east. The site has two separate accesses from the A438.
- 1.2 This application is retrospective for the decking which has been constructed to the front of the building, which links the building to the grassed beer garden. The decking was constructed in May 2009 and since then there has been an on-site meeting between Officers and the applicant. The application also seeks retrospective permission for a satellite dish which has been placed in the middle of the front of the building.
- 1.3 The decking is raised to the porch landing level and is accessed either side by steps. The decking has been constructed with a ramp, however the proposals are to replace the ramp with steps, according to the design and access statement this is to minimize the visual impact of a 'lengthy ramp in relation to the listed building'. The deck frame is currently stained blue, however the application proposes to re-stain the structure to an oak which represents a more subdued and sympathetic colour. The decking projects 7.6m out from the front elevation of the building and extends 8.2m across. It stands 0.7m high from the ground, with the softwood handrails having a maximum height of 3m from the ground.

## **2. Policies**

- 2.1 Herefordshire Unitary Development Plan:

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Further information on the subject of this report is available from Ms R Jenman on 01432 261961

S1	-	Sustainable Development
S2	-	Development Requirements
DR1	-	Design
DR3	-	Movement
H16	-	Car Parking
HBA1	-	Alterations and Extensions to Listed Buildings
HBA4	-	Setting of Listed Buildings

2.2 Planning Policy Guidance 15: Planning and the Historic Environment

### 3. Planning History

3.1 DCCE2007/0086/F – Change of use of land within curtilage of public house to site 4 no. temporary touring caravans for occasional occupation. Refused 7 March 2007.

### 4. Consultation Summary

#### Statutory Consultations

4.1 English Heritage have made the following comments:

1. The satellite dish should not be on a visible part of the building.
2. If the decking is to be retained, conditions should be imposed requiring your council's prior approval to finishes and of planting to reduce its visual impact.

#### Internal Council Advice

4.2 Traffic Manager: No comments received at the time of writing the report.

4.3 Conservation Officer: Objects to the proposal and recommends refusal. The timber decking has a major detrimental impact on the main façade of this important listed building as it is completely alien, very visually intrusive and damaging to the character of the building. Its domestic, suburban appearance disrupts the entrance and is completely at odds with the high quality materials, detailing and finishing found on the rest of the façade. The proposal is therefore considered contrary to the Herefordshire UDP Policy HBA4. It should be noted that we suggested an alternative location for the decking to the west of its current location.

### 5. Representations

5.1 Lugwardine Parish Council: 'The structure as it is does not blend in with its surroundings, partly because of the colour. In addition it hardly enhances the appearance of the New Inn. On a positive note wheelchair access has now been provided, although we do not know to what extent it will be used. The committee was divided on the application. It is recognised that there is a need to support diversification and a need for change in the licensing trade, given the current climate.

With regards to the application to a site a satellite dish on the front of the building we do not support this aspect. However should it be sited say on the side of the building in a discrete location, we would support that, but we would expect the site to be chosen with care.

5.2 One letter of support has been received from G. Brunt, 26 Frome Court, Bartestree and a petition in support of the development has been submitted by the applicant and contains 182 signatures. The comments are summarised as follows:

- The location of the decking gives the building more presence and permits people to see the detail of the stone work features.
- The decking does not affect any neighbouring properties.
- It allows for good observation of the children's play area.
- It is easily services for food and drink, all being at the same level.
- The deck improves access for all into the pub.
- The decking has been a great success to the business serving both new and old customers to the building.

5.3 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

## **6. Officer's Appraisal**

6.1 The New Inn is a designated grade II listed building and the Herefordshire Unitary Development Plan 2007 and Planning Policy Guidance 15 recognises that there is scope for alterations and extension to listed buildings providing the components which make up the special interest of the building, its features and setting are all preserved. Therefore the main consideration in the determination of this application is whether the proposal would have an adverse impact upon the listed building or the surroundings.

6.2 Following its construction in May 2009, enforcement action was commenced and there followed a site meeting with the agent and Officers. At this meeting advice was given that in its existing location the decking and the satellite dish were considered detrimental to the character and appearance of the building and its setting and alternative locations were discussed. This advice appears to have been ignored, and this application proposes to keep both in their existing locations, however the design of the decking is altered slightly with the disabled ramp being removed and replaced with steps.

6.3 The application site is in a prominent position in the heart of the village of Bartestree, with the building clearly visible from the adjoining A 438 highway. Policy HBA4 of the Herefordshire Unitary Development Plan states that 'development proposals which would affect the setting of a listed building will not be permitted'. The impact of such proposals should be judged in terms of scale, massing, location, detailed design and the effects of its uses and operations.

6.4 The siting of both the decking and the satellite dish are in the most prominent locations being on the front elevation. Whilst an attempt has been made to reduce the visual impact of the decking by changing the blue colour to an oak stain, its location and that of the satellite dish is the cause for concern. Both are considered to have a detrimental impact on the main façade of the building and are visually damaging to the character of the building.

6.5 Whilst all comments relating to the positive impacts the decking has had on the business have been considered, its location and that of the satellite dish is considered to have such a major detrimental impact on the important building, as to warrant a refusal, especially as there is considered to be alternative locations within the site where both could be located to minimise the impact on the building and its setting. The application is therefore recommended for refusal for the reason given below.

**RECOMMENDATION**

In respect of DMCE/091754/F that planning permission be refused for the following reason:

- 1 The design, massing, scale and the siting of the development, is considered to represent a visually intrusive form of development, which is detrimental to the overall character and appearance of the Grade II Listed Building and its setting, and is therefore contrary to Policies DR1, HBA1 and HBA4 of the Herefordshire Unitary Development Plan 2007 and Planning Policy Guidance 15.

In respect of DMCE/091755/L that Listed Building Consent be refused for the following reason:

- 1 The design, massing, scale and the siting of the development, is considered to represent a visually intrusive form of development, which is detrimental to the overall character and appearance of the Grade II Listed Building and its setting, and is therefore contrary to Policies DR1, HBA1 and HBA4 of the Herefordshire Unitary Development Plan 2007 and Planning Policy Guidance 15.

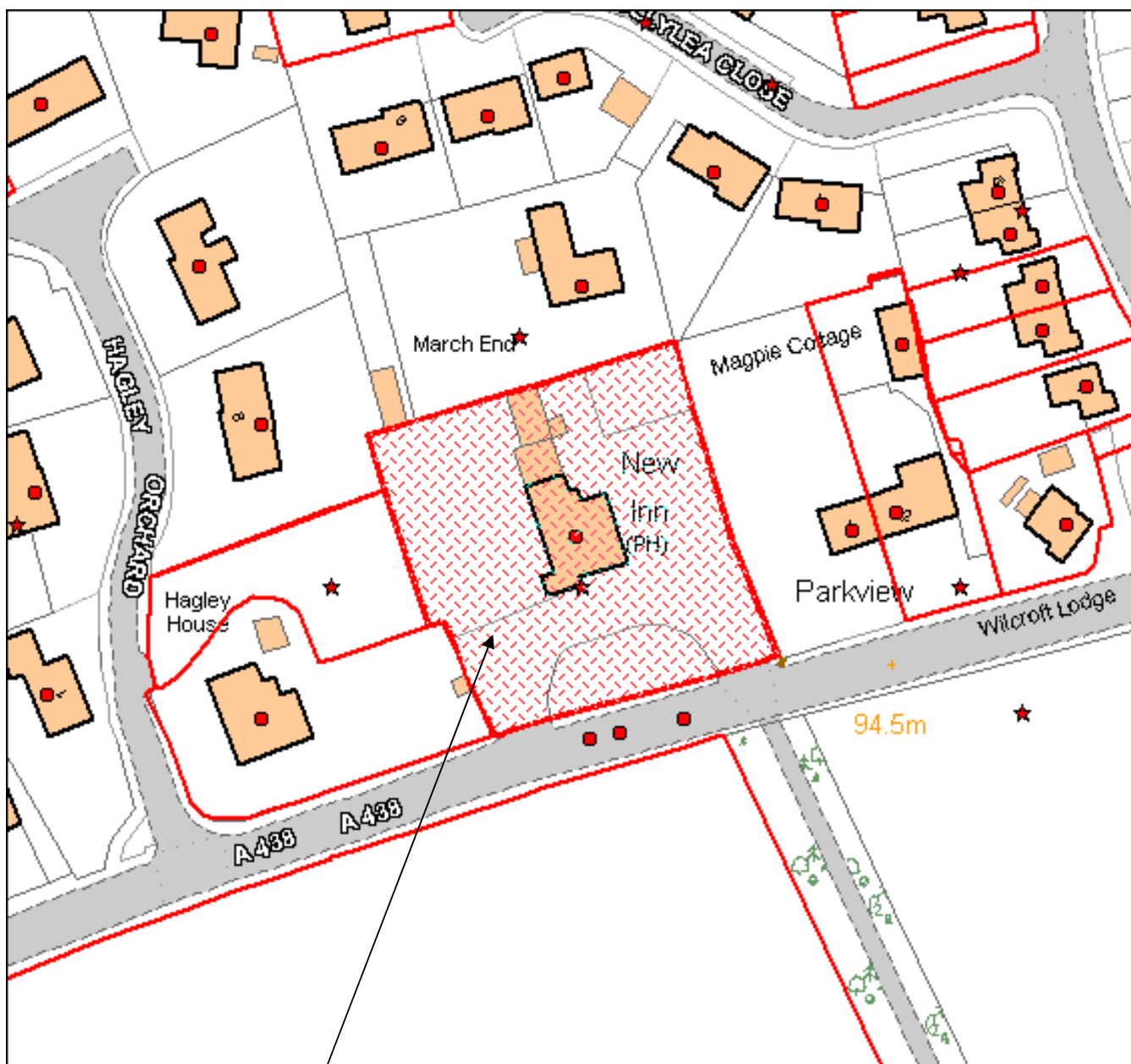
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NOS:** DMCE/091754/F & DMCE/091765/L

**SITE ADDRESS :** NEW INN, BARTESTREE, HEREFORD, HR1 4BX

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