

14 DCNE2005/0160/L - REMOVAL OF CHIMNEY (RETROSPECTIVE). REPLACE WINDOWS AND FRENCH DOORS. REPLACE KITCHEN WINDOW WITH FRENCH DOOR. INSTALL NEW STAIRCASE AND DOOR IN ORIGINAL POSITIONS AT PEGS FARM, STAPLOW, LEDBURY, HEREFORDSHIRE, HR8 1NQ

For: J Nicholls C A Masefield Building Design Services 66-67 Ashperton Road Munsley Ledbury Herefordshire HR8 2RY

Date Received:
19th January 2005

Ward:
Hope End

Grid Ref:
70294, 41144

Expiry Date:
16th March 2005

Local Members: Councillor R Mills & Councillor R Stockton

1. Site Description and Proposal

1.1 The application seeks listed building consent for the replacement of a number of windows, new French doors and a new internal staircase at Pegs Farmhouse, Staplow. It is a Grade II* building and is of timber frame construction under a tiled roof.

1.2 Officers have conducted an extensive inspection of the site and a number of additional alterations have been revealed that have been carried out without the benefit of listed building consent. It is therefore proposed that these are added to the current application and are as follows:

- Removal of a chimney stack
- Re-construction of east wing/north elevation
- Insertion of a new window - east wing/north elevation
- Insertion of a damp proof course - south elevation

2. Policies

Malvern Hills District Local Plan

Conservation Policy 6 - Protection of Listed Buildings

Conservation Policy 9 - Alterations and Extensions to Listed Buildings

3. Planning History

NE2004/2971/L - Alterations to building to include removal of chimney stack, replacement of windows and French doors, new French door to replace kitchen window and insertion of new staircase - Refused 19th October 2004.

The application was refused due to the lack of sufficient detail and not on the principle of the proposed works.

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage - No comment in detail but recommend that consent should be conditional on joinery details and the scope of repairs.

Internal Council Advice

- 4.2 Conservation Manager - No objection subject to conditions.

5. Representations

- 5.1 Wellington Heath Parish Council - No objection but reiterates its concern over submission of aspects retrospectively.

- 5.2 Two letters of objection have been received from Miss F Holmes, Barkholme, Hollow Lane, Staplow and Mr & Mrs Morris, The Fishery, Hollow Lane, Staplow. In summary the points raised are as follows:

- a) Concern that works are undertaken and applications submitted retrospectively, particularly as Pegs Farm is a Grade II* listed building.
- b) The new door in the east elevation is unnecessary and adversely affects the character and appearance of the house.
- c) The application contains insufficient information.

- 5.3 A third letter has been received from Mr & Mrs Underhill, Old Mill House, Staplow. Whilst not objecting, they ask that all matters at Pegs Farm be looked at carefully.

- 5.4 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 There are two aspects to this application, those works which are proposed and those which have been completed and applied for retrospectively.

- 6.2 The new works are considered to be entirely satisfactory by both English Heritage and the Council's Conservation Officer. Subject to the imposition of conditions as referred to above these aspects are satisfactory.

- 6.3 The work that has been completed and is now to be dealt with retrospectively has been thoroughly examined by officers. It has been carried out to a high specification using appropriate materials and is also considered to be acceptable.

- 6.4 The concerns of the objectors at this approach are noted. It is a criminal offence to undertake works to a listed building without the relevant consent. However to pursue a prosecution for works that are entirely acceptable is not an appropriate course of action.

6.5 It is therefore concluded that the proposal is acceptable and is accordingly recommended for approval. In the light of the fact that the application relates to a Grade II* building it will have to be referred to the Government Office for their determination.

RECOMMENDATION

That the Secretary of State be notified that the Local Planning Authority is mindful to grant listed building consent subject to the following conditions:

- 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 - C04 (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.

- 3 - C05 (Details of external joinery finishes)**

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

- 4 - C12 (Repairs to match existing)**

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

Informative(s):

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.