



Planning (Listed Buildings & Conservation Areas) Act 1990

LISTED BUILDING CONSENT

Name and Address of Applicant

Miss Clare Endicott
Burford House
32 Worcester Road
Malvern
Worcestershire

Name and Address of Agent (if any)

M A Brown
Manor Farm Barn
Hadzor Lane
Hadzor
Droitwich
Worcs

Part I - Particulars of Application

Date of Application: 19th June 2008

Application No: 08/00901/LBC

Grid Ref: Easting: 377518 Northing: 246197

PROPOSAL: Refurbishment of existing building. Demolition of side additions, erection of single storey basement flat kitchen, demolition of garage and outbuildings and construction of Coach House.

LOCATION: Burford House 32 Worcester Road Malvern

Summary of Reasons for Approval

This decision to grant planning permission takes into account the provisions of the Development Plan comprising the Regional Spatial Strategy, the Worcestershire County Structure Plan and the Malvern Hills District Local Plan and, in particular, the key policies set out below, and all other material considerations. It was considered that, on balance, the development was generally in accordance with the Development Plan and was not outweighed by any other material consideration..

DS03 General Development Requirements

QL01 Design of New Development

QL10 Alterations and Extensions to Listed Buildings

QL13 New Development Affecting the Setting of Listed Buildings

CTC19 Areas and Features of Historic and Architectural Significance

Part II - Particulars of Decision

The Malvern Hills District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act, 1990 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following the

following condition(s) (if any):

- 1 The works to which this Listed Building Consent relates must be commenced before the expiration of three years beginning with the date of this consent.

Reason: To conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Prior to the commencement of development, or within an alternative timescale which has previously been agreed in writing by the Local Planning Authority, elevational drawings at a minimum scale of 1:20 and plan and vertical sectional drawings at a minimum scale of 1:2 of all external joinery details, along with details of the proposed external finishes, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these approved details.

Reason: To safeguard the character and appearance of this building of architectural and historical interest in accordance with Conservation Policies QL1 and QL10 of the Malvern Hills District Local Plan and Policy CTC19 of the Worcestershire County Structure Plan.

- 3 All rainwater guttering and down pipes shall be cast iron or such other metal finish as may be approved in writing by the Local Planning Authority, and of a profile and finish which shall be approved in writing by the Local Planning Authority prior to installation on site.

Reason: To safeguard the character and appearance of this building of architectural and historical interest in accordance with Policies QL1 and QL10 of the Malvern Hills District Local Plan and Policy CTC19 of the Worcestershire County Structure Plan.

- 4 A scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority before building operations start. The scheme shall provide for the insulation of the proposed flats to the satisfaction of the Local Planning Authority, and the works required to implement the scheme shall be incorporated in the building during construction, and completed before any of the flats are first occupied.

Reason: To ensure a satisfactory sound level within the building(s) in accordance with Policies DS3 and QL1 of the Malvern Hills District Local Plan.

- 5 Prior to the commencement of development, or within an alternative timescale which has previously been agreed in writing by the Local Planning Authority, the applicant shall submit for the prior written approval of the Local Planning Authority a scheme of noise attenuating measures. The approved scheme shall be implemented before the first use of the development to which it relates is commenced and shall be retained for the duration of the use.

Reason: To safeguard the amenity of the area in accordance with Policies DS3 and QL26 of the Malvern Hills District Local Plan.

- 6 The external facing materials to be used in the construction of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure that the new work harmonises with the existing in accordance with Policies DS3 and QL1 of the Malvern Hills District Local Plan.

- 7 All new masonry shall be finished externally in materials to match in form, texture and colour those of the existing building.

Reason: To ensure that the new work harmonises with the existing in accordance with Policies DS3 and QL1 of the Malvern Hills District Local Plan.

8 Prior to the commencement of development, details of proposed damp proofing and tanking shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this building of architectural and historical interest in accordance with Conservation Policies QL1 and QL10 of the Malvern Hills District Local Plan and Policy CTC19 of the Worcestershire County Structure Plan.

9 The new windows to the front elevation bays shall precisely match the existing windows in every respect, including the depth of reveal.

Reason: To safeguard the character and appearance of this building of architectural and historical interest in accordance with Conservation Policies QL1 and QL10 of the Malvern Hills District Local Plan and Policy CTC19 of the Worcestershire County Structure Plan.

10 The bay extensions shall be taken down and rebuilt to exactly match those removed in size and method of construction. Bricks salvaged from the demolition shall be re-used and bricks of a similar quality and size shall be used in the construction where there is a shortfall.

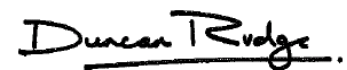
Reason: To safeguard the character and appearance of this building of architectural and historical interest in accordance with Conservation Policies QL1 and QL10 of the Malvern Hills District Local Plan and Policy CTC19 of the Worcestershire County Structure Plan.

11 The masonry columns and pilasters of the porch shall be taken down and repaired where damaged. Any new work shall precisely match the existing in every respect, including material size and feature, unless agreed in writing by the Local Planning Authority. The roof of the porch shall be photographed when uncovered and the precise details of reconstruction, both of which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this building of architectural and historical interest in accordance with Conservation Policies QL1 and QL10 of the Malvern Hills District Local Plan and Policy CTC19 of the Worcestershire County Structure Plan.

12 Prior to the commencement of development, or within an alternative timescale which has previously been agreed in writing by the Local Planning Authority, samples and trade descriptions of the external facing materials to be used in the construction of the coach house hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved detail.

Reason: To ensure that the new materials are in keeping with the surroundings in accordance with Policies DS3 and QL1 of the Malvern Hills District Local Plan.



Date: 2nd October 2008

Development Control Manager (Planning Services)

The Council House Avenue Road Malvern Worcs WR14 3AF (See Notes Attached)

01905 25121 سے رابطہ کریں فیلپون: [Ethnic Access] نسلیاتی رسائی میں مدد چاہتے ہیں۔ آپ انگریزی میں مدد چاہتے ہیں۔ نسلیاتی رسائی [Ethnic Access] سے رابطہ کریں فیلپون: 01905 25121 [Urdu]
ইহরেখি ভাষার বিষয়ে সাহায্য চান – এথনিক অ্যাকসেস্ [Ethnic Access] এর সঙ্গে যোগাযোগ করুন, টেলিফোনঃ 01905 25121 [Bengali]
'Necessita de ajuda com o seu Inglês? – contacte Ethnic Access Tel.: 01905 25121' [Portuguese]
'Potrzebujesz pomocy z Angielskim – skontaktuj się z Ethnic Access Tel: 01905 25121' [Polish]
“如爾我們幫助你理解英文—聯繫 Ethnic Access (少數民族服務獲取組) , 電話 : 01905 25121” [Chinese]

This document is also available in large print upon request

**M A Brown
Manor Farm Barn
Hadzor Lane
Hadzor
Droitwich
Worcs
WR9 7DR**

PLANNING (LISTED BUILDINGS & CONSERVATION AREA) ACT 1990 (SECTION 20)

Right of Appeal against decision of the Local Planning Authority

If the applicant is aggrieved by the decision(s) of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the First Secretary of State for the Environment in accordance with Section 20 of the Town (Listed Buildings & Conservation Areas) Act 1990 within six months of the date of this notice (appeals must be made on a form which is obtainable from the Planning Inspectorate, address shown below). The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

If you wish to appeal against this decision then you should write to:

Planning Inspectorate Customer Support Unit Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN

You should ask for a set of appeal forms and when you have completed these you should send one copy of the appeal form to:

The Planning Officer Malvern Hills District Council The Council House Avenue Road Malvern Worcs WR14 3AF

The second copy of the appeal form should be returned to the Planning Inspectorate in Bristol

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, 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 carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Sections 32-37 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.

Note:

Attention is drawn to Section 8(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the local planning authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments of England, National Monuments Record Centre, Kemble Drive, Swindon, SN2 2GZ and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form of notice is enclosed, if appropriate.