



ITEM NUMBER: 16

PLANNING COMMITTEE DATE: 24 July 2024

REFERENCE NUMBER: UTT/24/0147/LB

LOCATION: The Bluebell Inn
High Street
Hempstead
CB10 2PD

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 24 June 2024

PROPOSAL: Like for like renovation and repair works to all vertical sliding sash windows, replacement if required. Repairs, if possible, to rear kitchen window or replacement if necessary. Repairs to flat roof, part lead part felt, part synthetic membrane, to prevent water ingress. Repairs to damaged sections of external lime render, and repair to timber frame if required. External repainting of rendered walls and windows. Replacement rainwater goods, replacement of cracked chimney pots and repointing of stacks. Internal redecoration and rewiring.

APPLICANT: Mr James Hoskins

AGENT: N/A

EXPIRY DATE: 26th July 2024

EOT EXPIRY DATE: N/A

CASE OFFICER: Michael Okocha

NOTATION: Within Development Limits (HEMPSTEAD)
Within Conservation Area (HEMPSTEAD)
Listed Building - Reference Number: 1230734 - - Grade of Building:
Grade II - The Bluebell Inn, High Street, Hempstead, Saffron
Walden, Essex, CB10 2PD

REASON THIS APPLICATION IS ON THE AGENDA: Local Authority Staff.

1. EXECUTIVE SUMMARY

- 1.1** The site concerns a Grade II listed property located within the Conservation Area within the Development Limits of Hempstead.
- 1.2** The proposals consist of like for like repairs as described in section 4 of this report.
- 1.3** The application was consulted to the conservation officer at place services who confirmed that they have no objections subject to conditions.

- 1.4 The proposals have been assessed by officers who have taken account of all considerations and have concluded that the proposals are acceptable.

2. **RECOMMENDATION**

That the Strategic Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

A) Conditions

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The application site lies to the west of the High Street within the central built-up area of the village of Hempstead. The site consists of a double storey Grade Two listed building known as 'The Bluebell Inn' and is a public house. Off street parking is located to the rear and frontage of the site.
- 3.2 Adjoining the site is a mixture of residential properties varying in size and scale. The site is located within a conservation area.

4. **PROPOSAL**

- 4.1 This listed building application seeks permission for a number of repairs to the Bluebell Inn, which has yet to reopen following closure due to the Covid19 pandemic. The property is now in need of repair works in order to maintain its viability as a public house and to ensure the building is in a condition fit to allow the business to resume trading. The repair works include:
- 4.2
- Like for like renovation and repair works to all vertical sliding sash windows and replacement if required.
 - Repairs, if possible, to rear kitchen window or replacement if necessary. Repairs to flat roof, part lead part felt, part synthetic membrane, to prevent water ingress.
 - Repairs to damaged sections of external lime render.
 - Repair to timber frame if required.
 - External repainting of rendered walls and windows.

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. **RELEVANT SITE HISTORY**

A check of Council's records indicates that there have been several listed building applications dated back to many decades for general internal and external works and repairs to the existing building. None of which is of particular relevance to these proposals.

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 The LPA is unaware of any consultation exercise carried out by the applicant for this current proposal.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Not Applicable

9. REPRESENTATIONS

9.1 Site notice/s were displayed on site and 4 notifications letters were sent to nearby properties. An advertisement in the local press was also included as part of this application. No representations have been received at the time of the preparation of this report.

10. MATERIAL CONSIDERATIONS

10.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

10.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- a) The provisions of the development plan, so far as material to the application:
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

10.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to 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 or, fails to

preserve or enhance the character and appearance of the Conservation Area.

12.4 The Development Plan

- 12.4.1** Essex Minerals Local Plan (adopted July 2014)
- Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
- Uttlesford District Local Plan (adopted 2005)
- Felsted Neighbourhood Plan (made February 2020)
- Great Dunmow Neighbourhood Plan (made December 2016)
- Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
- Thaxted Neighbourhood Plan (made February 2019)
- Stebbing Neighbourhood Plan (made July 2022)
- Saffron Walden Neighbourhood Plan (made October 2022)
- Ashdon Neighbourhood Plan (made December 2022)
- Great & Little Chesterford Neighbourhood Plan (made February 2023)

13. POLICY

13.1 National Policies

- 13.1.1** National Planning Policy Framework (2023)

13.2 Uttlesford District Local Plan 2005

- 13.2.1** ENV2 - Development affecting Listed Building

13.3 Supplementary Planning Document or Guidance

- 13.3.1** Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

- 14.1** The issue to consider in the determination of this application is:

14.2 A) Heritage

- 14.2.1** The guidance contained within Section 16 of the NPPF, 'Conserving and enhancing the historic environment', relates to the historic environment, and developments which may have an effect upon it. Policy ENV2 of the Local Plan is broadly consistent with the Framework in that it sets out to protect, preserve and enhance listed buildings.
- 14.2.2** As this proposal concerns internal works to a Grade II Listed Building within a Conservation Area, Place Services Heritage have been consulted on the proposals.
- 14.2.3** The Conservation Officer states that "*The property is the Grade II listed The Bluebell Inn (list entry number: 1230734). Its heritage significance is*

derived from its special architectural and historic interest as a seventeenth century timber framed and plastered inn with historic associations with the notorious eighteenth-century highwayman Dick Turpin who was born in the village when his father with proprietor of the inn. The property is located within the Hempstead Conservation Area”.

- 14.2.4** Following a site visit to the Listed Building they also state that “*The proposals seek repair and renovation to the exterior of the property as itemised within the submitted Schedule of Works. The majority of the works proposed are like-for-like repairs which are acceptable, however some of the works require further information.*

The removal of areas of blown or cement render is acceptable in principle, however, a method statement for its removal is required (Items 10,12,13). Details of the proposed render mix is also required. These items could be conditioned – see below for suggested conditions.

Whilst it is acknowledged that the existing rainwater goods and downpipes are UPVC, it would be a direct heritage benefit if these were replaced by metal rainwater goods. To replace these with UPVC would be harmful as plastic guttering and downpipes detract from the architectural interest of the property (Items 2,19).

It is noted that most of the windows and doors will be repaired and redecorated, however it is noted that some are identified as potentially requiring replacement. There is no objection to the replacement of the kitchen window, subject to details, or where windows are beyond repair (Items 3,7,9,16,17).

- 14.2.5** Taking Conservations comments into consideration, there are no objections regarding the proposals impact to the heritage asset or the surrounding conservation area.

- 14.2.6** Therefore, the proposed development would comply with the provisions of Uttlesford Local Plan Policies ENV2 and the National Planning Policy Framework (2023).

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due

regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

16. CONCLUSION

16.1 The proposals involving repair works to the existing listed building will help to preserve the heritage asset and maintain its value as a community asset when these works have been completed and thus allowing the opening of the public house once again. The proposals would not result in harm to the heritage asset and complies with both national and local planning policies and guidance. It is therefore recommended for approval subject to the conditions suggested below.

17. CONDITIONS

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

3. Prior to the commencement of works relating to the removal of existing render, the existing render shall be removed from a sample area of 1 square metre at ground floor level. This area shall demonstrate the method of removal so that the impact of removal can be assessed, and the method approved in writing by the local planning authority. The works shall be implemented in accordance with the approved sample panel.

REASON: To preserve the special architectural and historic interest of the listed building in accordance with Policies ENV1 and ENV2 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

4. The render shall be of a lime mix with a smooth wood float finish and thereafter so maintained unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the special architectural and historic interest of the listed building in accordance with Policies ENV1 and ENV2 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

5. At the time of works, the new windows shall be in painted timber, single glazed and face puttied, and without trickle vents or surface mounted glazing bars. The windows shall be permanently maintained as such unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the special architectural and historic interest of the listed building in accordance with Policies ENV1 and ENV2 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

6. No part of the fabric of the building, including any timber framing or infill panels shall be removed, altered or cleaned unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the special architectural and historic interest of the listed building in accordance with Policies ENV1 and ENV2 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.