

APPLICATION REFERENCE NO. 09/01043/DEM

Site Address	Fox Hunter Inn, The Square, Snitterfield
Proposals	Demolition of fire damaged public house

Date Valid Expiry Date	21 May 2009 16 July 2009	Case Officer	Matthew Neal
Committee Date	22 July 2009	Presenting Officer	Jayne Cashmore
Type of Application	Conservation Area Consent for demolition	Applicant	Stratford-on-Avon District Council
Ward Member	R G Hobbs	Parish Council	Snitterfield
Referral to Planning and Regulation Committee	No	Previous Committee	No

Description of Proposals	<ul style="list-style-type: none"> ▪ Demolition of fire damaged public house
Reason for Referral to APC	<ul style="list-style-type: none"> ▪ Council is applicant
Planning Constraints	<ul style="list-style-type: none"> ▪ Background ▪ Green Belt ▪ Special Landscape Area ▪ Conservation Area ▪ Significant building within the Conservation Area ▪ Flood Zone 3
Key Issues	<ul style="list-style-type: none"> ▪ Principle ▪ Impact on character and appearance of Conservation Area
Recommendation	<ul style="list-style-type: none"> ▪ GRANT

SUMMARY OF POLICY AND BACKGROUND PAPERS

POLICY

The Development Plan

The West Midlands Regional Spatial Strategy

Not a scheme of regional significance

Warwickshire Structure Plan 1996 - 2011 (Saved Policies)

None relevant to this application

Stratford-on-Avon District Local Plan Review 1996-2011

PR.1 Layout and Design

PR.2 Green Belt

PR.7 Flood Defence

EF.2 Special Landscape Area

EF.13 Conservation Areas

Other Material Considerations

Central Government Guidance

PPS1 Delivering Sustainable Development

PPG2 Green Belts

PPG15 Planning and the Historic Environment

Other Documents

Snitterfield Parish Plan 2006

Snitterfield 2000 Village Design Statement

Other Legislation

Human Rights Act 1998

Building Act 1984

REPRESENTATIONS

Parish Council

Supports the application on the following grounds:

- The demolition will improve the street scene, in line with the Village Design Statement (30.06.09)

Ward Members

Councillor R G Hobbs

'Fully support the application as the building in its present state is an eyesore and a danger' (22.06.09)

CONSULTATIONS

WCC Ecology

No objections but request bat note (17.6.09)

Conservation Officer

The property in its existing state is an eyesore in the heart of the village and conservation area and obviously detracts from the character of the area. Whilst the approval of the demolition of such a building prior to the submission of development proposals would not be condoned, given the dangerous state and visual dilapidation of the site, substantial intervention is required in the short term (30.06.09)

ASSESSMENT OF THE KEY ISSUES

Background

This application is a result of complaints received by the Council about the existing condition of the Foxhunter Public House which was the subject of a fire in June 2007 that caused extensive damage.

Numerous requests were made to the owner of the site for information about their future plans for the premises but no information was forthcoming. Due to the lack of progress the Council served a notice under Section 79(1) of the Building Act 1984, on 24th April 2009. The notice requires either a schedule of repair works to be carried out or for the building to be demolished.

The Agent acting for the owner has advised Officers that it is their intention to demolish the building. The period for compliance expires on 29th July 2009.

This application therefore seeks to regularise the demolition of the building which is located within Snitterfield Conservation Area.

Principle of Development

Policy EF.13 of the Stratford on Avon District Local Plan Review resists the demolition of buildings within Conservation Areas unless a detailed scheme for the redevelopment or reinstatement of the site has already been granted planning permission or is granted concurrently. No such proposal has been submitted to the Authority, despite numerous requests for such details.

The explanatory text to Policy EF.13 states that 'there may be some exceptional cases, for example the demolition of a building which is dangerous or detracts significantly from the appearance of the area, where the requirement for a detailed scheme for redevelopment could be relaxed'.

The existing building is considered to be in a "ruinous and dilapidated condition" as defined in the Building Act. I consider that the existing condition of the building, which detracts from the character and appearance of the Conservation Area, is a material consideration that justifies the demolition of this building without a current permission or concurrent application for redevelopment in this instance.

In light of the background described above it is felt that this is an exceptional case where the demolition is justified on this occasion.

Impact on character and appearance of Conservation Area

The Snitterfield Parish Plan 2006 identifies The Foxhunter public house as located within a prominent position of the main village crossroads. The current state of the building is such that it currently has a detrimental impact upon the character and appearance of the Conservation Area. The demolition of the building and the removal of the materials arising from the demolition would, in my opinion, help to preserve and enhance the appearance of the Conservation Area in these unusual circumstances.

RECOMMENDATION

That conservation area consent for demolition is GRANTED, subject to the following conditions:

1. The works hereby permitted must be commenced within three years of the date of the Conservation Area Consent.
2. All materials resulting from the demolition hereby permitted shall be removed from site and the land made good within 2 months of the completion of the demolition operations

Notes:

1. Bat note

The Reasons for Recommending Granting Conservation Area Consent

The development proposals comply with current development plan policies. The removal of the building from the site would enhance the character or appearance of the conservation area. The decision to grant conservation area consent has been taken having regard to the following policies and proposals of the Stratford-on-Avon District Local Plan Review 1996-2011: Policy EF.13 that seeks to preserve or enhance the character or appearance of a conservation area.