

10 DCNE2007/1183/F - PROPOSED 3 BEDROOM DWELLING INCORPORATING STABLES AND ASSOCIATED LANDSCAPE WORKS TO REPLACE EXISTING AGRICULTURAL SHEDS AT LAND FORMING PART OF PERRYCROFT LODGE ESTATE, JUBILEE DRIVE, UPPER COLWALL, MALVERN, WORCESTERSHIRE, WR13 6DN.

For: Mr & Mrs M Claffey per Aedas Architects Ltd, Parsonage Chambers, 3 The Parsonage, Manchester, M3 2HW.

Date Received: 3rd May, 2007

Ward:

Grid Ref:

Expiry Date: 28th June, 2007

Hope End

76549, 41929

Local Members: Councillors RV Stockton and R Mills

1. Site Description and Proposal

- 1.1 The site is located below Jubilee Drive on its western side. Jubilee Drive runs between the Wyche Cutting and British Camp. The village of Colwall lies below to the north-west, approximately one kilometre distant. The site lies within the Malvern Hills Area of Outstanding Natural Beauty.
- 1.2 Above (to the east) of Jubilee Drive are a series of footpaths along the ridge of Pinnacle Hill following the historic Shire Ditch past Bronze Age tumuli. The application site is visible through the lower tree line.
- 1.3 To the north of the application site lays Gardiners Common.
- 1.4 To the south of the application site, beyond a tree lined boundary and at a materially lower ground level is Perrycroft Estate, that includes the Grade 2* listed Perrycroft House. This is an Arts and Craft Country House (1893-5) designed by the Architect C.F.A. Voysey.
- 1.5 The application site and adjoining land within the applicant's control, originally formed part of the wider Perrycroft Estate, however, since 1950 the outbuildings that form the Perrycroft Lodge Estate were separated. The Perrycroft Lodge Estate outbuildings currently accommodate four dwellings (i.e. 'The Byre', 'The Coach House', 'Ostlers' and 'The Lodge'). These buildings are Grade 2 listed. To the north-west of this cluster of historic buildings are a series of low, but extensive, low quality timber clad buildings. These were originally used for agricultural purposes. However, during the 1970's and 1980's these were used as a commercial dog-breeding establishment. That use ceased in 1989. The applicant purchased the Perrycroft Lodge Estate in 1992.
- 1.6 Perrycroft Lodge is located at the head of the driveway and the remaining buildings are arranged around two spaces. Ostlers Cottage and The Coach House face the lawn and drive leading to the stables, whilst The Byre faces the garden courtyard behind.

This creates an intimate character. The buildings have diminishing slate roofs, typically with hipped ends, overhanging eaves and cast iron gutters above cream painted roughcast render walls with projecting buttresses. The buildings have small timber painted windows.

- 1.7 With their low-slung roofs, and linear facades the buildings have a horizontal emphasis.
- 1.8 The proposal under consideration is to demolish the four low quality timber clad buildings that have a combined floorspace of 873 square metres and to erect a new dwelling set over two levels with the lower part set into the hillside. It would have a total area of 340 square metres.
- 1.9 The existing four timber clad outbuildings would be demolished and the new dwelling erected in the approximate position of the northernmost of this series of four buildings. It would be set over two levels with only the upper level projecting above the original ground level of the hillside. . The upper level living area is lightweight and would cantilever out towards the south-west view whilst to the rear it would give level access to the coppice of Silver Birch and Scot's Pine.
- 1.10 The building would have a width of approximately 22.2 metres and a depth of approximately 9.2 metres. It would provide a three bedroomed dwelling with integral garaging for two cars accessed via the north-east flank elevation in addition to provision for cycle parking. A terrace would be provided to upon the north-western end elevation
- 1.11 The building has been designed to maximise views to the south-west and to reflect sustainable building principles. In this regard the development would incorporate the following elements: -
 - Extensive glazing to the south-west with hard and dense surfaces internally to give thermal mass – a means of absorbing the sun's energy and gradually releasing it during cooler periods;
 - An extended roof overhang, high performance glazing and ventilation preventing overheating;
 - Daylight is maximised to avoid unnecessary lighting;
 - Ground source heat pumps provides the primary means of heating;
 - Photovoltaic panels are to be provided upon the roof;
 - A sedum roof is to be utilised;
 - Water consumption will be minimised by a range of measures. Composting toilets will separate liquid and solid waste in the plant area beneath the house, with grey water draining to an existing soakaway; and
 - Surface and storm water will be minimised by rainwater harvesting and natural percolation through the soft landscape.
- 1.12 The ground floor of the building would primarily be black mountain stone with some stack-bonded oak cladding (which should weather to a shiny silver with subtle variations). The first floor of the building (south-west) would primarily be triple glazed hardwood windows. The cantilevered balcony would have a glass balustrade and a stainless steel handrail. A sedum roof is proposed.
- 1.13 A driveway would be provided off the existing driveway. The drive would be sinuously curving reflecting the natural contours. A gap would be maintained between the new

driveway and 'The Byre' and the stables affording the opportunity for planting. This driveway would be surfaced in black mountain stone cobbles.

- 1.14 The application is accompanied by a full landscaping scheme. This scheme includes: -
- To the south and east of the proposed dwelling, returning the landscape to a natural meadow;
 - To the north of the proposed dwelling to retain the existing coppice but to add additional indigenous trees and under-storey planting;
 - To the east of the house and new driveway, a more formal line of trees and shrubs would extend the traditional character of the estate as far as the proposed new dwelling.
- 1.15 As part of this proposal the applicant has provided a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) which would ensure the inclusion of the entire Perrycroft Lodge Estate buildings in the annual Heritage Open Days scheme administered by the Civic Trust. This provides free access to view all the on-site listed buildings together with the proposed new building free of charge. Interpretative material would be provided for the visitors.
- 1.16 This planning application is fully detailed in all aspects and the above represents a summary of the proposal.

2. Policies

1.1 Central Government advice

Planning Policy Statement 1 – 'Delivering Sustainable Development'
Planning Policy Statement 7 – 'Sustainable Development in Rural Areas'
Planning Policy Statement 13 – 'Transport'
Planning Policy Guidance Note 15 – 'Planning and the Historic Environment'

1.2 Herefordshire Unitary Development Plan 2007

S1 – Sustainable Development
S2 – Development Requirements
DR1 – Design
H7 – Housing in the countryside outside settlements
H13 – Sustainable residential design
LA1 – Areas of Outstanding Natural Beauty
HBA4 – Setting of listed buildings

3. Planning History

- 3.1 In 1990 a planning application (MH2116/90) was refused and dismissed upon appeal for the demolition of the timber clad buildings and the erection of a bungalow.

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage supports this application. It considers the architectural concept to be of high quality. It states: -

“In coming to that advice our primary consideration is the potential impact of the proposal as a whole on the setting of the grade 1 listed and nationally renowned Perrycroft, but we have also taken into account its impact on the wider landscape – itself a historic place of great quality. Particular considerations for us have been the potential architectural quality and impact of the new house, which will be visible with Perrycroft in certain distant views, and the opportunity to ride the site of the disfiguring sheds it presently accommodates.

English Heritage is most impressed by the architectural quality and clarity of design of the proposed house. We consider that it responds very well to this most sensitive site, and that the architect has risen to the challenge by producing something that is expressive and consistent but not loud. Its subdued natural materials and finishes will make this a relatively ‘quiet’ building by comparison with the bold white walls of Perrycroft. The new house promises to take forward the traditions of the modern movement into the age of sustainable building in a remarkable way.

We therefore consider that this proposal does meet the very high standards of paragraph 11 of PPS7, and commend it to you.”

Internal Council Advice

- 4.2 The Conservation Officer supports this proposal and concludes: -

‘This is an outstanding, thoroughly-considered scheme which continues the progressive tradition of its distinguished Arts and Crafts neighbours into the 21st century. It presents a coherent synthesis of the main design and siting issues but has also given a high priority to its environmental credentials, which is exemplary. This scheme has the potential to be a significant addition to Herefordshire’s contemporary architectural canon and is likely to attract national attention.’

5. Representations

- 5.1 The Malvern Hills AONB Partnership considers the design of the house responds well to its location and considers that the proposal would enhance the Area of Outstanding Natural Beauty.
- 5.2 The Colwall Parish Council has no objections to the proposed development. They recognise that whilst the proposed dwelling lies outside of the settlement boundary it is of a significantly less footprint than the existing buildings.
- 5.3 No responses have been received from local residents.
- 5.4 The Midlands Architecture & The Designed Environment (MADE) Design Review Panel have been consulted upon this planning application. It support the planning application and in the conclusions of its report state: -

“...the Panel would like to commend the quality of design and clarity of thought that permeates right through from site clearance and design conception throughout this project. This is an exceptionally well-designed dwelling that provides an exemplar for raising design aspirations in Herefordshire”.

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

6. Officers Appraisal

6.1 Section 54A of the Town and Country Planning Act 1990 as amended by Section 38 of the Planning and Compulsory Purchase Act 2004 require planning decisions to be made in accordance with the provisions of the Development Plan unless other material planning considerations indicate otherwise.

6.2 The application site lies outside any of the defined market towns, the main settlements or the smaller settlements. As such the site lies within the open countryside in planning policy terms. Policy H7 of the Herefordshire Unitary Development Plan basically establishes a presumption against new residential development in the countryside. Although exceptions are provided for, none apply to this particular case. On this basis the proposal is contrary to adopted Unitary Development Plan policy.

6.3 Furthermore the site is located in an unsustainable location where occupiers of the proposed dwelling would be reliant upon the private motor vehicle.

6.4 It is considered that in this case there are "other material planning considerations" that need to be considered. These are: -

- Whether the proposed development would enhance the setting of the listed buildings; and
- Whether the proposal meets the provisions of paragraph 11 of Planning Policy Statement 7 which states: -

"Very occasionally the exceptional quality and innovative nature of the design of a proposed, isolated new house may provide sufficient justification for granting planning permission. Such a design should be truly outstanding and ground breaking, for example in its use of materials, methods of construction or its contribution to protecting and enhancing the environment, so helping to raise standards of design in rural areas. The value of such a building will be found in its contemporary architecture, the significant enhancement of its immediate setting and its sensitivity to the defining characteristics of the local area."

Setting of the listed buildings

6.4 The existing timber clad buildings upon the site are unattractive. They are readily visible from numerous short and long-distant public vantage points including from Black Hill and The Herefordshire Beacon. The buildings do to a degree detract from the setting of the all of the listed buildings referred to above. It is their scale in terms of footprint, their external appearance and the manner in which the natural topography of the land has historically been altered through excavation to accommodate them that detracts from the setting of the listed buildings. However, the buildings are low and have a certain agricultural appearance. Nevertheless, these buildings do detract from the setting of the listed surrounding listed buildings and their removal would represent an enhancement.

6.5 However, such an enhancement could be secured by merely removing the existing buildings and restoring the pasture without erecting a new dwelling. Therefore I do not consider this factor alone represents a sufficient reason to grant planning permission for any new dwelling in this location.

Exceptional & Innovative Isolated New House

- 6.6 With regard the provisions of paragraph 11 of Planning Policy Statement 7 a detailed analysis is required. Clearly, like many planning matters it is a subjective judgement.
- 6.8 The proposed building is of a contemporary design. Its siting has been extremely carefully chosen to ensure a visual break between it and the listed buildings whilst maximising views to the south-west. This visual separation would mean that the new building and the listed buildings could be appreciated in isolation. This orientation has also benefited the proposed building in terms of solar gain, daylight and sunlight. The building also responds to the natural topography of the land. Its siting towards the upper area of a previously excavated parcel of land is such that only the upper level of the accommodation would be readily visible from a distance. The natural topography of the foreground would be restored to pasture.
- 6.9 Given that a new house in this location would have the distinguished company of the Voysey designed listed buildings a pastiche approach would never succeed in this context. It is considered that the submitted scheme has recognised that it is more appropriate to emulate the spirit of the Arts and Craft movement by creating an outstanding design, which expresses the aesthetics, technology and living requirements of the age. Inevitably this has resulted in a different style but the result is considered to be complementary. The scheme reflects the tradition of Modernist villas set in outstanding landscapes.
- 6.10 The materials specified upon the submitted documents would ensure a very high external appearance to the building and integration into the wider landscape.
- 6.11 Sustainability is the scheme's guiding principle and this has been the determinant of most decisions in the design process. As a result the structural system and cladding are of timber, with glazing concentrated to exploit the south-westerly orientation. The flat roof is divided between photovoltaic panels and sedum. The "green roof" reduces run-off and also helps to reduce the impact of the building when viewed from the Malverns above. The scheme's combination of active and passive environmental technologies means it achieves the Ecohomes "excellent" rating and significantly, calculations forecast it will be carbon neutral in operation. In this regard it is anticipated that the energy system will be connected to the grid enabling summer surplus energy to be credited for winter use and providing a carbon neutral solution. In this regard I am unaware of any other such dwelling in Herefordshire. In this respect the design is considered to be innovative and in its totality truly outstanding.
- 6.12 All elements of the submitted landscaping scheme are supported by the Council's Landscape Section. This includes the reshaping of the land upon which the timber clad buildings currently sit, to create more natural contours to the new area of pasture, the restoration / creation of pasture and meadow, the re-stocking of the stand of Scots Pine and birch; with native trees and shrubbery and trees between the proposed new dwelling and the neighbouring group of listed buildings. All of the landscaping proposals are considered to be in keeping with the Principal Wooded Hills character of the area identified in the Council's adopted Landscape Character Assessment and would enhance the Area of Outstanding Natural Beauty. It is considered that the proposed development would enhance the landscape.
- 6.13 It is considered that the proposed dwelling is both exceptional in its quality and innovative in its design. Furthermore the sustainable nature of the building design is

considered to be truly outstanding and should assist in raising the standard of design in the County.

Other Matters

- 6.14 The securing of public access to the site via the submitted Unilateral Undertaking is welcomed. This would not only afford the general public the opportunity to view, free of charge, historic buildings of architectural interest but also a contemporary sustainable building of architectural interest. In itself, however, this is not sufficiently important to justify a planning consent for a dwelling in this location.

7. Conclusions

- 7.1 Whilst the proposal represents a new dwelling in the open countryside, in an unsustainable location, contrary to Development Plan policy, it is considered on the basis of the submission itself, and detailed comments from MADE and English Heritage in particular that the scheme would meet the exception provided by paragraph 11 of Planning Policy Statement 7 as being a dwelling of exceptional quality and of an innovative design. Furthermore it is considered that the development would have the added benefits of enhancing the setting of the neighbouring listed buildings, enhancing the landscape (a designated Area of Outstanding Natural Beauty) and securing public access to the site.
- 7.2 The combination of these factors, and consultee responses properly suggests that this application proposes a generally exceptional case.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - Prior to commencement of the development hereby permitted the following matters shall be submitted to the Local Planning Authority for their written approval:-**

- **Written details and samples of all external materials to the dwelling**
- **Written details and samples of the surfacing materials to the driveway**
- **Full details of the fenestration system**

The development shall not commence until the local planning authority has given such written approval. The development shall be carried out in strict accordance with the approved details and thereafter maintained as such;

Reason: - To ensure a satisfactory appearance to the development, to safeguard the setting of the neighbouring listed buildings and to safeguard the character of the Area of Outstanding Natural Beauty.

- 3 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that**

Order), no development normally permitted by that Order shall be carried out without the express consent of the Local Planning Authority.

Reason: To safeguard the architectural integrity of the dwelling hereby permitted, to safeguard the setting of the neighbouring listed buildings and to safeguard the character of the Area of Outstanding Natural Beauty.

- 4 - All planting, seeding and turfing in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the dwelling hereby permitted or the completion of the development (whichever is the sooner). Any trees or plants which within a period of ten years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory setting to the building hereby permitted and to enhance the Area of Outstanding Natural Beauty.

- 5 - Prior to the first occupation of the dwelling hereby permitted the new driveway, integral garaging and turning / manoeuvring area(s) for motor vehicles and secure cycle storage facilities shown upon the approved plans shall be implemented. Thereafter these areas and facilities will be kept available for such use.

Reason: In the interests of highway safety and to safeguard the setting of the building hereby permitted, the neighbouring listed buildings and the Area of Outstanding Natural Beauty.

- 6 - The buildings shown upon the approved plans to be demolished shall be demolished and all resultant materials removed from the land prior to the first occupation of the dwelling hereby permitted.

Reason: To safeguard the architectural integrity of the dwelling hereby permitted, to safeguard the setting of the neighbouring listed buildings and to safeguard the character of the Area of Outstanding Natural Beauty.

- 7 - The demolition referred to in condition 6. above shall not take place between 1st March and 31st August (inclusive) in any calendar year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the law is not breached with regard to nesting birds which are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and policies NC1, NC5, NC6 and NC7 of the Herefordshire Unitary Development Plan 2007.

- 8 - Prior to commencement of the development hereby permitted the following matter shall be submitted to the Local Planning Authority for their written approval:-

Full details of a habitat creation scheme (to include details of boxes for nesting birds and bats).

The development shall not commence until the Local Planning Authority has given such written approval. The approved details shall be fully implemented prior to the first occupation of the dwelling hereby permitted and shall thereafter be maintained as such;

Reason: To ensure that the law is not breached with regard to nesting birds which are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and policies NC1, NC5, NC6 and NC7 of the Herefordshire Unitary Development Plan 2007.

- 9 - Prior to the first occupation of the dwelling house hereby permitted the development shall be carried out in full accordance with the EcoHomes 2006 Pre-assessment Report BREAM dated 05/04/2007 prepared by Scott-Wilson received 23rd April 2007 and thereafter be maintained as such;

Reason:- To ensure that the sustainable building credentials of the development which represent one of the reasons for granting this planning permission are both provided and maintained.

- 10 - Prior to commencement of the development hereby permitted, full details of all external lighting to be installed upon the site (including upon the external elevations of the building), if any, shall be submitted to the Local Planning Authority for their written approval. No external lighting shall be installed upon the site (including upon the external elevations of the building) without the prior written consent of the Local Planning Authority. The approved external lighting (including upon the external elevations of the building) shall be installed in full accordance with the approved details and thereafter maintained in accordance with those details.

Reason: To safeguard the character and appearance of the countryside which hereabouts is designated as an Area of Outstanding Natural Beauty and to safeguard the architectural integrity of the development.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - The reason for the granting of this planning permission contrary to the provisions of the Development Plan is that the scheme is considered to comply with paragraph 11 of Planning Policy Statement 7.
- 3 - N19 - Avoidance of doubt

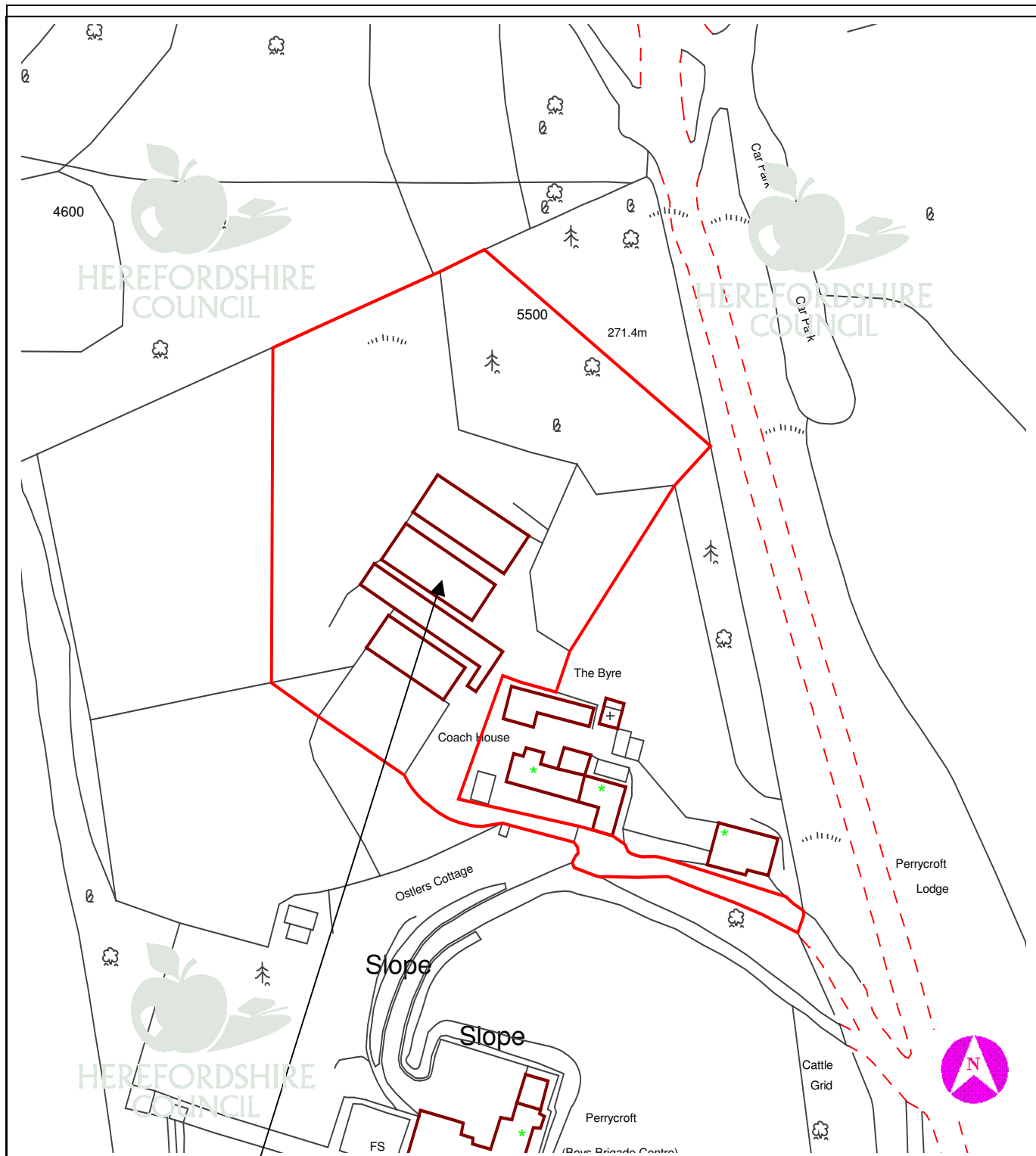
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2007/1183/F

SCALE : 1 : 1250

SITE ADDRESS : Land forming part of Perrycroft Lodge Estate, Jubilee Drive, Upper Colwall, Malvern, WR13 6DN

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