

MEETING:	PLANNING COMMITTEE
DATE:	7 OCTOBER 2015
TITLE OF REPORT:	143272 - PROPOSED EARTH SHELTERED DWELLING TO REPLACE AN EXISTING STABLE AND STORAGE BUILDING ON A PREVIOUSLY DEVELOPED SITE AT STABLE AND YARD NORTH OF MEWS HOUSE, MORDIFORD, HEREFORDSHIRE, HR1 4LN For: Mr & Mrs Gullis per Mr Garry Thomas, Watershed, Wye Street, Hereford, Herefordshire, HR2 7RB
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=143272&search=
Reason Application submitted to Committee – Re-direction	

Date Received: 30 October 2014

Ward: Backbury

Grid Ref: 357128,237641

Expiry Date: 26 December 2014

Local Member: Cllr J Hardwick

1. Site Description and Proposal

- 1.1 The application site comprises a broadly square shaped parcel of land (0.34 hectares in size) that lies to the west of the C1292 and the north of the village of Mordiford. The village school is located to the south east on the opposite side of the highway, along with the Public House. Immediately to the south of the site lie a number of listed dwellings, with the River Lugg to the west. The site slopes from the highway to the east down towards the river to the west. A stable block lies in a position towards the bottom of the slope and sits on a level surface and has a footprint of 18m x 6m, eaves height of 2.4m and ridge height of 4m. The land to the front of the stable slopes quite steeply down to the level ground and river banks. The site is enclosed utilising timber post and rail fencing and there are a number of hardsurfaces.
- 1.2 The application seeks planning permission for the demolition of the stable block and erection of a dwelling. The dwelling is described as an earth sheltered structure that is highly energy efficient and of contemporary design.
- 1.3 The dwelling would be sited in a similar position to the existing stable block, offset slightly to the south, but extending slightly further south across the site into / towards the bank. The accommodation would comprise at ground floor, a draft lobby, stables, store, hallway, games room, and store. Externally there is a terrace proposed that extends in a westerly direction. Accommodation at first floor would comprise an entrance to hallway from the east of the building (car parking area), bathroom / en-suite (x3), three bedrooms, dressing room, kitchen, dining room and living room.

- 1.4 The building would be two storeys in height. Whilst the overall height would be approximately 6.7m, this does utilise the change in levels across the site. The dwellings design is flat roofed (Sedum) and incorporates a palette of materials. To the west elevation, the upper floor utilises a 'green living wall', with the forward projection using 'reflective glass'. Double glazed window areas proposed between the living wall.
- 1.5 At the lower floor coreten cladding panels (Weathering steel panels), a double glazed wall and timber weather boarding are proposed. The northern elevation incorporates coreten cladding panels, reflective glass to the forward projecting element. Green walls are proposed to the first floor, interspersed with double glazed windows. To the east elevation, the palette is similar, but using stone walls. The southern elevation appears to be entirely encompassed in the bank.
- 1.6 Externally, parking areas will be provided to the eastern side of the site in a position that is broadly level with the top the proposed dwelling. This identifies parking for four vehicles. A revised access plan (2215-L(1)102 Rev c identifies alterations to the access to address initial concerns raised. The access will be a porous hardstanding that extends northwards before turning down the hill and to the west (annotated as being for access for agricultural vehicles only). The hedgerow to the north and south will be replanted and trimmed for a minimum of 10m to the north and south of the access.
- 1.7 The curtilage of the dwelling has been defined by the latest plan submission to the terraced area immediately to the west of the dwelling (no further forward than the forward projection) and to the north and east (between dwelling and highway). The remaining area has been defined as area restored as historic landscape.
- 1.8 During the course of this application a number of additional documents have been submitted to address objections and representations that have been made. Re-consultations have been undertaken on amended plans, additional and supporting documentation.
- 1.9 The site is affected by a number of designations and constraints :
 - Within a Conservation Area;
 - Within the Unregistered Park and Garden known as 'Old Sufton';
 - Partially within a Flood Zone 3 / 2;
 - Adjacent to the Registered Parkland of 'Sufton Court';
 - Adjacent to the Wye Valley Area of Outstanding Beauty;
 - Adjacent to the river Lugg (Special Wildlife Site (SWS), Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC)
 - Setting of Listed Buildings
- 1.10 The application has been supported by the following documents:
 - Design and Access Statement
 - Planning Statement (and supplements)
 - Ecological Assessment
 - Flood Risk Assessment
 - Highways Statement
 - Landscape and Visual Impact Assessment
 - Tree Protection Plan
 - Tree Survey and Arboricultural Constraints report
 - Supplementary Landscape reports
 - Seeing the History in View
 - Tyler / Granger – Response to landscape comments
 - Sufton Estate / Sufton Park estate (context)

2. Policies

2.1 National Planning Policy Framework

Paragraph 7 – the three dimensions to sustainable development

Paragraph 11 – 14

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 8 – Promoting healthy communities

Section 11 – Conserving and enhancing the natural environment

2.2 The Herefordshire Unitary Development Plan:

S1	-	Sustainable Development
S2	-	Development Requirements
S7	-	Natural and Historic Heritage
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR7	-	Flood Risk
H6	-	Housing in Smaller Settlements
H7	-	Housing in the Countryside Outside Settlements
H13	-	Sustainable Residential design
H16	-	Car Parking
LA1	-	Areas of Outstanding Natural Beauty
LA3	-	Setting of Settlements
LA4	-	Protection of Historic Parks and Gardens
LA5	-	Protection of Trees, Woodlands and Hedgerows
LA6	-	Landscaping Schemes
NC1	-	Biodiversity and development
HBA4	-	Setting of Listed Buildings
HBA6	-	New Development Within Conservation Areas
HBA7	-	Demolition of unlisted buildings within conservation areas
NC6	-	Biodiversity Action Plan priority habitats and species
NC7	-	Compensation for loss of biodiversity
NC8	-	Habitat creation, restoration and enhancement

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

2.4 The Herefordshire Local Plan (Emerging Core Strategy):

SS1	-	Presumption in favour of sustainable development
SS2	-	Delivering new homes
SS4	-	Movement and transportation
RA1	-	Rural Housing Strategy
RA2	-	Herefordshire Villages
RA3	-	Herefordshire's Countryside
H1	-	Affordable Housing Thresholds
H3	-	Ensuring an appropriate range and mix of housing

MT1	-	Traffic Management, highway safety and promoting active travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and geodiversity
LD4	-	Historic Environment and heritage assets
SD1	-	Sustainable design and energy efficiency
SD2	-	Renewable and low carbon energy
ID1	-	Infrastructure delivery

The emerging Core Strategy Policies (including modifications) can be viewed on the Council's website by using the following link:- <https://www.herefordshire.gov.uk/local-plan>

- 2.5 Dormington and Mordiford Neighbourhood Area was approved in May 2014, The Parish Council will prepare a Neighbourhood Development Plan for the area. The plan must be in conformity with the strategic content of the emerging Core Strategy. In view of this no material weight can be given to the plan.

3. Planning History

- 3.1 DCCE2008/2969/F – Widening Access – Planning Permission Not Required.
- 3.2 CE2006/3636/F - Proposed stable block – Approved
- 3.3 DCCE2006/2465/F: Proposed stable block – Withdrawn.
- 3.4 DCCE2004/0799/F – Proposed widening of existing entrance and driveway – Approved.
- 3.5 DCCE2004/0459/S - Widen existing entrance and driveway. Planning permission required.

4. Consultation Summary

Statutory Consultees

- 4.1 Historic England:

We do not wish to comment in detail, but offer the following general observations.

Conditions should be imposed requiring your Council's prior approval of all external facing materials, all architectural details, and all landscaping design and detail.

Internal Council Consultations

- 4.2 Conservation Manager (Landscape Officer)

- 4.2.1 Initial Comments:

The site is accessed via Dormington Road its eastern boundary contained by mature hedgerow running parallel with the road. At its highest point the land form reaches 55m AOD along the eastern boundary and falls in a westerly direction to form part of the River Lugg floodplain

- The site is located within open countryside and apart from the aforementioned structure is essentially composed of natural landscape features; grassland trees and hedgerow. It falls within the Landscape Character Type; Principal Settled Farmlands defined as settled agricultural landscapes with a dispersed settlement pattern. The site is also adjacent to the Riverside Meadows landscape character type which is described as essentially unsettled landscapes with occasional mills or other buildings directly associated with the river. It is

considered that the given the topography of the site in this instance it is appropriate to consider the site in the context of the Riverside Meadows Landscape Character Type.

- There are a number of designations both within the site and in close proximity to its boundary; these include the Wye Valley AONB, Mordiford Conservation Area, the River Lugg SSSI, SAC, SWS, Old Sufton unregistered park and garden. The site should also be considered in the context of the setting of a number of heritage assets; Sufton Park the Grade II* registered park and garden, the Church of the Holy Rood grade II* listed and the Old Rectory and the Mews. The degree of protection afforded this landscape is such that in accordance paragraph 109 of the NPPF the protection and enhancement of this valued natural landscape should be considered paramount

Visual and Public Amenity:

- The site to a larger degree will be contained by landform to the east; views from Dormington Road will be further obscured by the existing mature hedgerow. To the north and south hedgerow and trees filter views from nearby dwellings. To the west however the landscape opens out across the river meadows and views extend across open countryside
- Key views from sensitive receptors; Wye Valley Walk and Mordiford Bridge take in the River Lugg surrounded by the natural landscape of the Wye Valley AONB. With a number of prominent listed buildings forming part of the heritage of this rural settlement. The proposal will be viewed in the context of the aforementioned vista and is considered incongruous in form and material to both the existing and natural and built form of the landscape.

Conclusions:

- The Design and Access Statement asserts that *the proposal is introduced in the conceptual form of the Ha ha, upholding the pastoral landscape tradition to hide a built feature within the landscape whilst maintaining uninterrupted views of the landscape, thus the proposal will appear less visible than the current building.* However the plans indicate the proposal occupies a larger footprint than the existing structure and extends to approximately twice the height of the existing stable, it incorporates a large section of glazing along its westerly aspect, with potential for both reflective qualities by day and light pollution at night. Viewed in conjunction with the associated access, turning circle, retaining stone walls and landscaping it is considered that the proposal will not significantly enhance its immediate setting (Paragraph 55 of the NPPF) and does not serve to protect and enhance this valued landscape (Paragraph 109 of the NPPF). Given the sites proximity to the Wye Valley AONB and its location in relationship with both Old Sufton and Sufton Court neither it is considered to comply with LA1 or LA4 of the Unitary Development Plan.
- Notwithstanding the above if the application is met with approval it is recommended that landscape proposals be submitted which incorporate the detailing of the proposed sedum roof and green living walls. In addition to a plan indicating the proposals in relation to the root protection areas of the existing tree and hedgerows. (the current Tree Survey (Aug 2014) submitted indicates existing planting alongside existing development it is therefore unclear as to where proposals encroach into RPAs.) As well as further detailed drawings requested by the Transport Engineer indicating the exact length of hedgerow H1 necessary for removal to provide visibility splays.

4.2.2 Comments following submission of amended plan / additional information (February 2015)

The following comments are made in response to the supplementary landscape report submitted by Tyler Grange in relation to application P143272/F, land to the west of Dormington Road Mordiford.

As set out in my initial landscape response for the proposal, the site forms part of a key vista composing a number of elements which include both heritage assets in the form of the church

and Georgian Rectory, complemented by both the designed landscape of Sufton Park and Garden alongside the natural landscape of the Wye Valley AONB. It is a superb example of built form working in harmony with its surrounding landscape. English Heritage guidance (The setting of Heritage Assets 2012) defines setting as the surroundings in which an asset is experienced, the extent and importance of which is often expressed by visual considerations and is therefore generally more extensive than curtilage.

Given the orientation of Sufton Court itself overlooking the River Lugg and settlement of Mordiford and the tendency for *many historic parks and gardens include deliberate links to other designed landscapes, and remote 'eye-catching' features or 'borrowed' landmarks beyond the park boundary*. It is considered that contrary to the statement in paragraph 2.34 of the supplementary landscape report there does in fact exist a strong visual link between the aforementioned assets and the site in which the proposal is located.

Historic mapping dating back to 1843 indicates that this particular landscape has remained relatively unaltered since this period this in itself makes an important contribution to the heritage asset's significance, given that the likelihood of the original setting remaining unchanged declines with time. The impact of the proposal should be viewed in this context and therefore cannot be considered to be minor.

From the Wye Valley Walk at its closest point, less than 350m from the site, clear views of the existing stable are possible. Heading south along this route the site comes into view from the point where the railway embankment changes direction in line with the watercourse and approaches the settlement of Mordiford, views of the proposal are possible for approximately 1km in length. Further partial views of the existing stable are seen along the B4224 on exiting the village of Hampton Bishop.

Whilst it is noted that the proposal is an earth sheltered dwelling, the massing diagram indicates that the full height of the proposal extending a further 3m than the existing stables will be appreciated from these sensitive western views.

It is noted that reference has been made to existing vegetation lining the riverbank as helping to screen views. However it is my understanding this land is not within the ownership of the applicant. Further to this during a site visit conducted on the 19th March 2015 the Environment Agency were carrying out pollarding to the trees along the water course. Following on from discussions with the engineer present it was confirmed that this was carried out on a cyclical basis in order to ensure free flow of the watercourse and alleviate flooding.

Finally Herefordshire Council LCA (2004) states Riverside Meadows are *secluded pastoral landscapes characterised by meandering tree lined rivers flanked by riverside meadows which are defined by hedge and ditch boundaries Settlement is typically absent, the presence of extensive areas of seasonally grassed waterside meadows has provided a strong sense of visual and ecological unity*. Whilst the landscape character type boundary crosses the application site it is considered that the site most strongly associates with the aforementioned characteristics. In this instance the strategy for conservation is to discourage built development and to conserve and restore linear tree cover along hedge lines ditches and watercourses only.

4.2.3 Comments on additional information (April 2015)

As previously stated in my initial response, this site is located within open countryside, it is the subject of two designations; lying within Mordiford Conservation Area, as well as Old Sufton unregistered park and garden - this designation was omitted from the baseline analysis of the Landscape and Visual Impact Appraisal conducted by Mackley Davies Associates Ltd August 2014. The site is adjacent to the Wye Valley AONB as well as Sufton Court, registered park and garden. It lies less than 50m from the River Lugg protected by numerous designations and

is within the visual envelope of numerous heritage assets; Sufton Court and Holy Rood Church. The sensitivity of this landscape is high.

Whilst the LVIA states the scale of the new dwelling is slightly larger than the existing stable block, the massing diagram submitted demonstrates the proposal will essentially double the height of the existing and extend the built form several metres in a southerly direction. *The proposal will include terraced patio areas to north and west of dwelling, as well as private gardens to the west and south west extending as far as the site boundary, the extent of which will be defined with a tree and hedgerow boundary (LVIA 2014).* Given that this is a predominantly natural landscape with limited built form I do not agree that the magnitude of change brought about by this contemporary construction and its associated works to this landscape is small.

The LVIA goes on to state that impacts are mainly restricted to the western elevation. Following on from a site visit conducted on 15th April 2015, it is established that views from Sufton Court registered park and garden are in fact possible of the existing single storey stables, given the increase in height of the proposal, views will be possible from this protected parkland, the impact of these views are not assessed as part of the LVIA.

The LVIA states *long views are only possible from the west but this impact is considered to be low due the scale distance and nature of the proposed development.* Views of the proposal from the Wye Valley Walk are 150m from the proposal they are for 1km in length and are uninterrupted by pylons. From Mordiford bridge, 200m from the site clear views are also possible. The impact of the proposal on these views is therefore considered to be greater than low. The land both sides of the watercourse is not under the ownership of the applicant and is subject to coppicing on a cyclical basis by the Environment Agency where limbs are reduced to ground level. This mitigation is not a permanent feature and where a proposal is reliant upon screening to reduce its harm, in lieu of enhancement to this valued landscape implies that development in this location is inappropriate.

LA4 of the UDP states *Development which would destroy, damage or otherwise adversely affect the historic structure, character, appearance, features or setting (including the designed visual envelope) of a registered park or garden will not be permitted.* It is considered that the proposal has the potential to adversely affect the setting of Sufton Court registered park and garden as well significantly affecting Old Sufton unregistered park and garden in which the site lies. *Unregistered parks and gardens recognised and identified by the Council as currently of local importance will be afforded similar protection*

4.2.4 Comments on Additional / Amended Plans (6th July)

I note the letter to Miss Gibbons dated 6th July 2015, along with the submitted block plan indicating the extent of the proposed curtilage, indicating that the domestic curtilage will extend to the east of the proposal site and the area to the west will be restored to historic landscape.

The historic map entitled Application Site in Context 1886 is further noted.

I would refer you to my earlier comments as these still apply.

4.3 Conservation Manager (Historic Buildings)

The site is located just outside of Mordiford but it is seen in the context of the village, especially when viewed from the Mordiford Bridge and from the west side of the river. This vista includes a number of listed buildings: Church of the Holy Rood (grade II*); Old Rectory and Mews (grade II); and the barn to northwest of Old Rectory (grade II). The site is also seen in the context of Sufton Court located on higher ground to the north east. Sufton Court, a substantial grade II* listed c1790 country house attributed to James Wyatt. The house is

surrounded by a landscaped park laid out by Repton. The site is located within the Mordiford Conservation Area.

The existing stable block on the site is a functional utilitarian building with no architectural value but has a fairly benign impact on the surroundings due to its low profile. The plans indicate that the proposed dwelling would be built into the bank; however, its scale and massing exceeds that of the stable block, making it more prominent in the landscape than the existing building. The siting of a more prominent building in this location has the potential to have a harmful impact on the setting of Sufton Court and also on the character and appearance of the conservation area. If a replacement building is to work in this location, it will need to blend into the surrounding landscape. Some of the materials proposed such as the living green wall, the use of stone and the sedum roof could help achieve this but large areas of glazing, including the reflective glass are likely to make more of a visual statement. It is useful to assess the buildings in Mordiford looking from the west. The church and Old Rectory stand out as landmark buildings but the subsidiary buildings associated with the Old Rectory and the barn are built from a local stone and are visually part of the landscape, sitting quietly in their surroundings. Any proposed building on the stable site needs to achieve the same result.

The submitted plans include elevation drawings but these do not really allow full understanding of how this building would look in practice. The images shown on the 'precedent' drawing do not provide sufficient assurance that the glazing would not be intrusive. Given the sensitivity of the site it is suggested that 3D drawings are provided showing the proposed dwelling from all angles and also showing how the parking, driveway and garden would work. More work also needs to be done to assess the relationship of the site with the surrounding historic environment, particularly Sufton Court.

From a heritage perspective the principle of replacing the stable with a dwelling may be acceptable but based on the plans submitted, the current proposal does not convince that it could be assimilated into the landscape and not impinge on the setting of Sufton Park, or harm the conservation area and the setting of the listed buildings in Mordiford.

4.4 Conservation Manager (Ecology)

The ecological report is satisfactory and I will write a condition – follow ecological report recommendations etc. However, there remains the chance of impact upon the SAC through construction activities as it is so close and a Construction Environmental Management Plan should be required to safeguard the R. Lugg from this. I would prefer this upfront: I have to produce an HRA screening brief and would rather not have the CEMP reliant upon a condition – Natural England could potentially object.

I note that a SUD system is intended to manage surface water run-off and would there not be any impact upon the R. Lugg SAC. With regard to foul drainage from the sewage treatment, the proposal to locate the biodisc treatment outside the floodzone and to have this outfall to a soak away is satisfactory in principle. I would think Building Control might need to see a percolation test to determine the efficacy of this arrangement.

4.5 Transportation Manager

The visibility splays indicated in the Highway Statement would be sufficient based upon the surveyed speeds, however hedge removal on both sides of the access is likely to be necessary to establish and maintain these splays, I would suggest possibly requiring a more detailed drawing in this aspect.

The gradient of the access is indicated on the inset drawing b/RRAMordiford.1/01 in the Highway Statement to be 1 in 20 for the first 10m. This is not confirmed by the indicated spot

levels for the access on that drawing, which indicate a level drop of 1.0m in less than the delineated 10m on that inset, resulting in a much steeper gradient (around 1 in 8). This should be clarified. Subject to resolution of the above points, I would have no objections to the proposals.

5. Representations

5.1 Mordiford and Dormington Group Parish Council make the following comments:

The majority of the Group Parish Council were in favour of the proposals and on that basis we would like to support it.

However, we would like it noted that as this development is within the Conservation Area we support it on the basis that the proposals meet all the local environmental protection guidelines.

Comments on additional information and plan:

The GPC have no problem with the additional information and remain supportive of the application

5.2 Hereford and Worcester Gardens Trust

Having assessed the application on the ground and taken into account the Grade II* Registration of the Repton landscape at Sufton Court, the Hereford and Worcester Gardens Trust urges Herefordshire Council to refuse this application.

The classic view of Sufton Court and its grounds is from the causeway over Mordiford Bridge. The view with the church in the foreground, the Georgian rectory and its outbuildings (now the Mews House) is of iconic status. In the centre of the view is the stable block - its brown, wooden character, blends well with its surroundings, until, that is, a car or van arrives, as was the case when I viewed the site. This creates an alien, shiny intrusion and dramatically downgrades the enjoyment of the view. The new house, albeit set into the river slope will present a bank of glass and modern materials, much of which will draw attention to itself through reflection. Moreover, there will be more cars present at all times, not just twice a day when the horses need attending.

From the Wye Valley Footpath along the top of the stank - a veritable viewing platform - the house will be even more obvious. Albeit partially hidden by the willows in the summer; in the winter without the leaf cover there will be no shelter. Moreover, since it is the River Authority's practice to pollard the trees regularly, the house will become a permanent feature in the landscape. From the point of view of the development it is unfortunate that an important national long distance footpath - designed to celebrate the Area of Outstanding Beauty, which begins just below the site - should coincide with two highly valued heritage assets-the II* landscape and the II* listed building - Sufton Court, which is highly visible here for all to see. Other assets of this importance are often hidden away behind belts and approached by a long drive but here the work of two figures of national cultural significance -Humphry Repton and James Wyatt are set out for all to enjoy. Dorothy Stroud, the biographer of Repton believes Sufton Court has one of the best preserved Repton landscapes in England. This is an extraordinary work of art and has regularly been painted and is always being photographed. Sir Edward Elgar often cycled here with his notebook to seek inspiration and express in musical form his appreciation of this pastoral idyll. There is even a car park and a stile to remove any impediment from the enjoyment of this scenery.

Although the new development will not be visible from within the Repton park or the Wyatt house, it is inevitable that the management of the site will lead to suburbanisation in relation to

entrance gates, new boundaries, hard standing etc. This may be discounted on the present application but who will be here to enforce this in twenty years time? Social occasions will draw vehicles to the site and some of these will inevitably be parked on the road exposed for all to see from the bridge, the footpath and from within the Repton park. The parking that takes place behind the church, in association with the school and by the residents of cottages within the village is already a problem and detracts from the enjoyment of the Repton landscape. One of the sketches in the Red Book, kept at the Court takes in the view from the Drawing Room window down to the village, the church and the causeway. Thus, any development that intensifies traffic movement and other 20th century activities will affect the character of Repton's work of art. It must be stressed that presence of a Red Book still in the Drawing Room of the family who commissioned it; in the house and landscape to which it was addressed, is a remarkably rare event. Usually Red Books are separated from their estates because the house, the family or the landscape have been lost or destroyed. At Sufton Court the whole package is complete - and long may it be so. This is not a landscape where any risks can be taken, it is far too precious. The application should be refused.

Further objection:

I have tried to digest the supplementary material provided by RRA Architects but still feel that they fail to address the adverse impact of the development, in a variety of ways, upon the several heritage assets in the vicinity - including 2 listed houses, registered landscape, long distance footpath, ancient monuments (church and bridge) - etc. You could not find a more sensitive spot anywhere else within Herefordshire - to use a hackneyed term, this really is an iconic view

5.3 32 letters of support have been received in total (31 following the re-consultation on the amended / updated information). These can be summarised as follows:

- Supporting documents consider Conservation Area and are thorough and indicate impact on wildlife will be low
- Design has green credentials through use of materials in cladding and roof construction
- Will be energy efficient
- Like use of contemporary design
- Great addition to local area
- Looks fantastic
- No impact on the area / no detrimental harm due to design and materials
- Design of quality and vision. Designed to high standard and eco-friendly;
- Will sit well in the landscape against bank and blends cleverly into the landscape through use of modern materials and design techniques
- Provides community with example of best 21st Century design rather than pastiche neo Georgian or Tudor / Bethan
- Will sit picturesquely
- Low impact on the locality due to extensive measures applicant is proposing
- This will greatly improve view in contrast to the stable block. Enhance rather than detract.
- You cannot see the stable block when driving past
- Designed as not to be of a distraction in the views from the Mordiford bridge and Wye Valley Walk and Mordiford bridge to Hampton Bishop, to the landscape that surrounds the proposed site;
- Cannot be viewed from the road above or from adjacent properties.
- Since the applicants bought land 8 years ago they have continuously improved landscape and river bank and view for walkers;
- Owner undertake maintenance of banks (tree removal)
- Applicants support the community and want to downsize but stay in the village.

5.4 One letter of concern has been submitted that states some sympathy for the application but raises concern about the sensitivity of the site in relation to Sufton Court. Surprised that what was considered a greenfield site a few years ago can now be considered brownfield.

5.5 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Principle of development

6.1 The Unitary Development Plan (UDP) is time-expired, but relevant policies have been 'saved' pending the adoption of the Herefordshire Local Plan - Core Strategy. UDP policies can only be attributed weight according to their consistency with the NPPF; the greater the degree of consistency, the greater the weight that can be attached. In this instance, and in the context of the housing land supply deficit, the NPPF is the most significant material consideration. Paragraph 215 recognises the primacy of the Development Plan but, as above, only where saved policies are consistent with the NPPF:-

"In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that maybe given)."

6.2 The effect of this paragraph is to supersede the UDP with the NPPF where there is inconsistency in approach and objectives. Acknowledging that the Council does not have a five year supply of housing at this time and that the Councils Housing Supply policies are out of date, the requirements of the paragraph 49 are applicable. The presumption in favour of approval as set out at paragraph 14 is engaged if development can be shown to be sustainable.

6.3 Paragraph 14 of the NPPF states that for decision making, the presumption in favour of sustainable development means:

- *"Approving development proposals that accord with the development plan without delay; an*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

-any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;

-or specific policies in this Framework indicate development should be restricted."

6.4 The application site lies to the north of the village of Mordiford. Mordiford is defined in the Herefordshire Unitary Development Plan as a smaller settlement to which policy H6 of the Herefordshire Unitary Development Plan would apply. This proposal does not meet the criteria of this policy, and there is no claim within the applicants' submission that it does.

6.5 When considered in the context of the Unitary Development Plan, the site would fall to be considered as policy H7 that seeks to restrict residential development where it does not meet with any of the exception criteria. The proposal also fails to comply with any of the relevant

criteria of policy H7. Policy H7 is considered to be broadly consistent with the requirements of paragraph 55 of the NPPF in that it advises Local Planning Authorities to avoid new isolated homes in countryside. Its aim is to promote housing in locations where it will enhance to maintain the vitality of rural communities.

- 6.6 This site lies close to an adjacent cluster of dwellings and is served by an existing footway that gives access to the primary school, public house, shop and church. The village is served by public transport to the wider area. Whilst it is not yet possible to give weight to the emerging Core Strategy, this village is identified as one that can accept proportionate new growth. As such, I would conclude that whilst the site is physically detached from the cluster of dwellings, it is quite well related and its location can be considered to be sustainable.
- 6.7 The main issue is whether, having regard to the supply of housing land within the County, the proposals would give rise to any adverse impacts, having particular regard to the likely effects upon the character and appearance of the area, the setting of designated and non-designated heritage assets and nature conservation interests, that would significantly and demonstrably outweigh the benefits of the scheme so as not to contribute to the achievement of sustainable development.
- 6.8 The site is located within open countryside and apart from the aforementioned structures and hardsurfacing is essentially composed of natural landscape features; grassland trees and hedgerow. It falls within the Landscape Character Type; Principal Settled Farmlands defined as settled agricultural landscapes with a dispersed settlement pattern. The site is also adjacent to the Riverside Meadows landscape character type which is described as essentially unsettled landscapes with occasional mills or other buildings directly associated with the river. It is considered that the given the topography of the site in this instance it is appropriate to consider the site in the context of the Riverside Meadows Landscape Character Type.
- 6.9 There are a number of designations both within the site and in close proximity to its boundary; these include the Wye Valley AONB, Mordiford Conservation Area, the River Lugg SSSI, SAC, SWS, Old Sufton unregistered park and garden. The site should also be considered in the context of the setting of a number of heritage assets; Sufton Park the Grade II* registered park and garden, the Church of the Holy Rood (grade II* listed) and the Old Rectory and the Mews (grade II listed).
- 6.10 The site as exists comprises the stables and access roads that were approved in 2008. These have altered the natural topography of the landscape. Its engineered platform does form an intrusion into the landscape which is visible from local footpaths and the road bridge; albeit to a limited extent. There are a number of key views of the site from sensitive receptors. To the west the Wye Valley Walk runs along what is commonly referred to as 'The Stank' with and Mordiford Bridge lies to the south west. These views take in the River Lugg surrounded by the natural landscape of the Wye Valley AONB with a number of prominent listed buildings forming part of the heritage of this rural settlement.
- 6.11 There is little dispute that the landscape is considered to be a valued landscape. The designations associated with this reiterate its importance and value. Paragraph 109 of the NPPF states that the planning system should contribute and enhance the natural and local environment by protecting and enhancing valued landscapes. This is consistent with the aims of policy LA2 of the UDP that restrict proposals for new development that would adversely affect either the overall character of the landscape, as defined by the Landscape Character assessment and the Historic Landscape characterisation of its key attributes or features.
- 6.12 The second part of this policy seeks to ensure that proposals demonstrate that the landscape character has influenced their design, scale, nature and site selection and where appropriate restrict degraded or despoiled landscapes to the inherent character.

- 6.13 A significant amount of information has been submitted with the application, and as supplementary documents, that makes assessments of the impact of the proposed development and I note findings of the document 'Seeing the History in the View' that states:

'whilst the affect of this development would be negligible, it is important to recognise that the change in views will occur as a result in the development. It is a recommendation that further landscape mitigation be carried out...'

- 6.14 It appears that both parties acknowledge that there will be an impact from the development, but there is a disagreement in the magnitude of the impact on the valued landscape, designated and undesignated heritage assets and whether this can or should be mitigated.
- 6.15 The proposed dwelling does replace a single storey stable building. The land is described as previously developed land (NPPF definition being: *is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure*). This stable building has a floor area of 100 sqm. It has a pitched roof that is 4m in height. There are some areas of hardstanding that surround the building that extend towards the west in the area that is now shown to be restored historic landscape. These are clearly identified on the plans submitted to add clarity. (Stable 100 sqm, Yard surrounding stables, 170 sqm and access and car parking areas 640 sqm). It is officer opinion that whilst the existing stable yard and associated curtilage has altered the landscape it is a relatively unobtrusive development and certainly would not represent a brownfield site that would benefit significantly from re-development in the form proposed. As such, in officer's opinion, little weight can be attributed to this matter in making a decision.
- 6.16 The proposed dwelling, with its flat roof, will have a height of 6.7m and provide 310 sqm of accommodation over the two floors. Whilst the west elevation (fronting the river Lugg) will be fully exposed and visible, some of the accommodation will be built into the bank to the south of the site. Access and parking areas will be limited to 450 sqm to the north and east of the proposed dwelling. An area of residential curtilage / terrace has also been identified in addition to this, which would be to the west, east and north of the dwelling in addition to the 450 sqm. The application also provides a diagram that identifies the mass of the proposed building in comparison with the existing stable block.
- 6.17 The level of information that accompanies this application is significant and detailed, as one would expect when dealing with such a sensitive environment. Officer's identified clearly their concerns that the proposed dwelling would be of a scale, size and design that would represent a significant intrusion in a very sensitive and valued landscape and that the proposed use would also bring with it the associated residential paraphernalia, lights (outside / within dwelling during winter and during hours of darkness), parked cars, terraces and gardens. The applicants have sought to address this by restricting the curtilage to a terrace area to the front (overlooking the river meadows) and north of the site. Tree planting along the river bank has also been proposed along with the proposal to remove hard standing areas and restore the landscape to the west of the site. The proposed mitigation, is clearly identified within the conclusions of the submitted documents as being required to enable them to conclude that the negative residential impacts are considered to be minimal and small in scale. In the event that the mitigation fails / or is removed or eroded over time, then the conclusion must be that the proposed development will have a more severe and adverse impact.
- 6.18 Whilst officers have carefully considered the use of conditions to overcome of the very significant concerns and objections to this proposal, it is not considered that the use of tree planting and restriction on size of curtilage would overcome objections. Given the sensitivity of the landscape, mitigating a proposal to make it acceptable cannot be considered a viable and long term solution. The environmental benefits that could be attributed to the proposed development relate only to the screening of the development, and measures to restrict

residential paraphernalia to the most prominent part of the site. Whilst reference is made to the restoration of the historic landscape to the west, the existing position is not so harmful to warrant support for a development of this nature to offset the limited harm caused by the driveway and fence.

- 6.19 The proposed development would have a significant and demonstrable harm on the unspoilt natural landscape of the area which forms part of the setting of the Area of Outstanding Natural Beauty and setting of the village of Mordiford. As such, the proposal would fail to comply with the requirements of policies LA2 of the UDP and with the guidance contained within the National Planning Policy Framework. Policy DR1 of the UDP is also applicable here, requiring development to promote or reinforce the distinctive character and appearance of the locality and to respect landscape character.

Impact upon Heritage Assets

- 6.20 The landscape is one that has been recognised in its value through its local designation as an unregistered park and garden. Policy LA4 of the UDP affords the same protection to both registered and unregistered parks and gardens and seeks to restrict development which would destroy, damage or otherwise adversely affect the historic structure, appearance, features or setting (including the designed visual envelope) of a registered park or garden.
- 6.21 With regards to the impact upon the 'Designated Heritage Asset, that being the Registered Parkland, Conservation Area and Setting of the Listed Buildings, paragraph 134 of the NPPF would apply, thus requiring that the harm should be weighed against the public benefits. In considering the non designated heritage asset, that being the locally listed unregistered parkland, due regard shall be had to paragraph 135 of the NPPF. This states that a balanced judgment will be required having regard to the scale of the harm or loss and the significance of the heritage asset.
- 6.22 Members attention is drawn to the very detailed responses from the Conservation Manager in respect of the impact of the proposed dwelling on the Heritage and Designated Heritage Assets. These objections and concerns are also explored in the detailed response from the Hereford and Worcester Gardens trust. These representations clearly explain the importance and significance of the application site and its relationship and importance to the relevant assets. They conclude that the impact of the development, even with the proposed mitigation, would have a significant adverse affect the identified designated and non designated heritage assets that local plan policy and national guidance seek to protect. As such, the proposal would fail to comply with the requirements of policies LA4, HBA4 and HBA6 of the UDP and with the guidance contained within the NPPF.

Flood Risk

- 6.23 The proposed dwelling lies within a Flood Zone 2, but I have considered the information provided within the submitted Flood Risk Assessment, the fact that there is already a building on the site and the fact that there is a safe, dry pedestrian access to the main road and would not wish to raise an objection on this ground. The proposal is considered to comply with the requirements of policy DR7 of the UDP and with guidance contained within the NPPF.

Ecology / Habitat Regulation Assessment

- 6.24 The Councils Ecologist has confirmed that the ecological report is satisfactory and that a condition can be imposed requiring the applicant to follow the ecology report recommendations. There are no significant biodiversity gains or benefits from this developments but is broadly compliant with the requirements of policies NC1 and NC8 of the UDP and with the guidance contained within the NPPF. It is however noted that there remains

the chance of impact upon the SAC through construction activities as it is so close and a Construction Environmental Management Plan should be required to safeguard the River Lugg from this. A condition would suffice but it is normally preferable to have this prior to determination so that it can form part of the Habitat Regulation Assessment.

- 6.25 It is noted that the SuD's system is intended to manage surface water run-off and there would not be any impact upon the River Lugg SAC. With regard to foul drainage from the sewage treatment, the proposal to locate the biodisc treatment outside the floodzone and to direct this outfall to a soak away is satisfactory in principle. In order to ensure compliance with policy DR4 of the UDP and with guidance contained within the NPPF, a condition could be imposed to ensure satisfactory drainage arrangements are provided to the site.

The Planning Balance

- 6.26 The proposal would have a very modest benefit in addressing the shortfall of housing supply within the County. It would increase the choice of housing by a very modest amount. There are the usual economic benefits that could be attributed to the construction industry. The impact of one dwelling in supporting local services and facilities is also considered to be minimal. Nonetheless, these benefits must be given weight in the determination of the application.
- 6.27 The proposed planting and mitigation measures do not outweigh or overcome the harm to the valued landscape, Heritage Assets and Designated Heritage Assets that has been identified above, and as such, its development would be at odds with the environmental role of sustainability. Moreover, notwithstanding the shortfall in Housing Land Supply, these adverse environmental impacts and the harm to the valued landscape and setting of heritage assets would significantly and demonstrably outweigh the very modest economic and social dimensions/benefits of the proposed scheme.
- 6.28 The application submission makes reference to the site as being 'previously developed land' the re-use of which the NPPF encourages. However, Paragraph 17 of the NPPF does state that this is applicable provided that it is not of high environmental value. For the reasons detailed above, I would assert that the site, by virtue of its designations and landscape value, does have high environmental value and as such, limited weight can be given to the sites 'previously developed' status.
- 6.29 Therefore, for the reasons detailed above, the proposed development would fail to comply with the requirements of policies DR1, LA2, LA4, HBA4 and HBA6 of the Unitary Development Plan and with the guidance contained within the National Planning Policy Framework and the application is recommended for refusal.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The proposed dwelling and associated residential use, by virtue of its siting, scale, mass, height and design would cause significant and demonstrable harm to the valued landscape, Heritage Assets and Designated Heritage Assets within this and therefore failing to promote or reinforce the distinctive character and appearance of the locality. As such the proposal would fail to comply with the requirements of policies DR1, HBA4, HBA6 and LA4 of the Unitary Development Plan and with the guidance contained within the National Planning Policy Framework. Notwithstanding the current shortfall in Housing Land Supply, these adverse environmental impacts and the harm to the valued landscape and setting of heritage assets would significantly and demonstrably**

outweigh the very modest economic and social dimensions/benefits of the proposed scheme.

INFORMATIVES:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations and identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which have been clearly identified within the reason(s) for the refusal, approval has not been possible

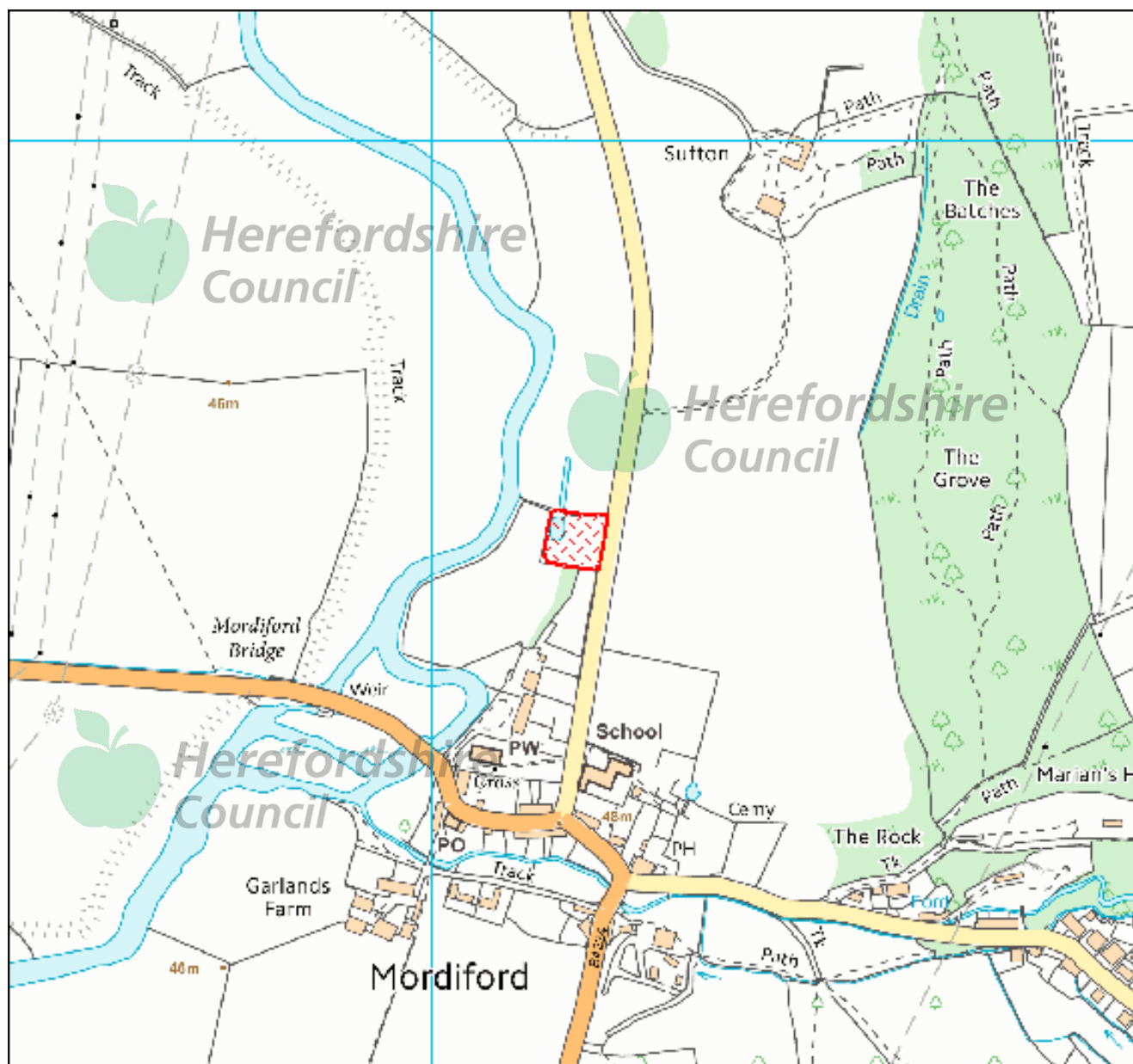
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 143272

SITE ADDRESS : STABLE AND YARD NORTH OF MEWS HOUSE, MORDIFORD, HEREFORDSHIRE, HR1 4LN

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Further information on the subject of this report is available from Ms Kelly Gibbons on 01432 261781