

202412 - ERECTION OF 1 NO. DWELLING AND ASSOCIATED WORKS INCLUDING ACCESS, LANDSCAPING, OUTBUILDINGS, INFRASTRUCTURE, LAKE CREATION AND OTHER ENGINEERING WORKS AT FLOW HOUSE - LAND NORTH OF SHEEPCOTTS COURT, ULLINGSWICK, HEREFORDSHIRE, HR1 3JQ

For: Mr & Mrs Perry per Mr Matt Tompkins, 10 Grenfell Road, Hereford, Herefordshire, HR1 2QR

ADDITIONAL REPRESENTATIONS

Since the publication of the officer report, three further representations have been submitted. The first is submitted on behalf of the British Horse Society:

“The British Horse Society is the UK’s largest equestrian charity representing the UK’s 3 million horse riders. The objections to the proposed development are in regards to its impact on bridleway UW1, part of the Three Rivers Ride, which was conceived by Brenda Wickham, a British Horse Society volunteer, as a link from Worcestershire to Herefordshire to Wales, opened in 2002. Horse riders have access to only 22% of the public rights of way network, therefore existing routes must be protected especially as the roads become less and less safe.

The BHS requested the following in October 2020:

1) Please provide a clear specification regarding the surfaces for the bridleway for the full extent of the route where it lies within the development area as this is not clear from the plans so that the suitability for horse riders can be assessed. Surfaces must be suitable for equestrian use therefore not constructed of a slippery material such as tarmac or concrete. Please see relevant guidance: <https://www.bhs.org.uk/advice-and-information/free-leaflets-and-advice>

2) The proposal suggests the addition of gates on the route. Gates are an obstruction on a public right of way and should not be considered unless to prevent the ingress or egress of livestock. Please provide assurance that gates will not be installed on the public right of way.

3) The development would increase traffic during the construction stage and beyond. Please provide a provisional Site traffic management plan for the build and an assurance of how traffic crossing the public right of way would be managed. Please see relevant guidance: <https://www.bhs.org.uk/advice-and-information/free-leaflets-and-advice>

The BHS has not had any response or engagement from the planning applicant or their representatives in the interim at the time of writing this correspondence. The BHS therefore reiterates the above comments and requests further discussion regarding how best to safeguard the Three Rivers Ride public right of way for the safety and enjoyment of all walkers, cyclists and equestrians.

Should the planning permission be granted, the BHS respectfully requests that Herefordshire Council incorporates conditions to the permission which require the applicant to fully engage with Herefordshire BHS and the Council's Public Rights of Way team, in particular, a requirement to provide of full details of this development where it affects and concerns the PROW route and agree measures to ensure that the use and enjoyment of the Three Rivers Ride will not be impacted by this development in the short, medium and long term. This will uphold Policy LTP PRW1 - Policy B3 Managing Public Rights of Way in Herefordshire Council's published Rights of Way Improvement Plan (draft) 2017-20."

The remaining two representations have been made by two local residents, which have already been sent directly to members of this committee and are repeated below:

1. *"It is by chance that I know about his submission although Phil Perry did bring down the 100 page document some months ago when I did study it, and my first reaction was that he should not be allowed to build a large house on such a prominent site which will be visible from many aspects, and the materials he is proposing to use for the building will make it glaringly visible.*

The yellow notice is up the road which he makes look as if it is his own drive, when it is a public road, so that people are deterred from going up there and so no-one has seen it. And the Merediths at Lowdy Farm, who would be very close neighbours of this proposed property, but whose farm is off the Lower Hope road but with their fields adjacent, had no idea about the application as you have not notified them.

I gather that it is supposed to meet all the requirements of Clause 79 of the Planning Agreement because it is "innovative" and of "supreme quality" to be permitted to be built in a field where there has never even been a barn. I am aware that a lot of input has gone into this project but I consider it an erosion of our countryside and no doubt there will be even more traffic going up our very small lane which is already ruined by farm traffic as the machinery is too wide.

If Mr Perry had not made his present property so suburbanized I would be happier to consider this latest application but definitely not on its present site. He put up kerbstones on a public road which is not his but he has made it look like his private drive, saying that I would not see the kerbs after a while. For as many years since he put them in, I have been affronted by them every time I drive up the lane. Visitors to my house ask if there is a housing estate up there. I am still amazed how a small cottage has been converted into such a large residence with a considerable two-storey building alongside it and a new barn with your approval or lack of objection.

So I am now concerned that the proposed Flow House will be lit up and disturb the dark sky that we enjoy in this area, and that there will be alterations to the original plans if it is allowed to be developed.

I wish to put in a strong objection."

2. *"Dear Sir/Madam,*

I object to the planning proposal to build The Flow House in Ullingswick. The building is totally inappropriate in a beautiful unspoiled area of Ullingswick in Herefordshire. It does not add to the landscape. How could it? The objection is not because it is a

modern dwelling. It is impossible for any building in this particular area to add to the outstanding landscape. At night the design of the building will cause light pollution. It is, quite simply, an irrelevant building which is not even needed. The applicants already enjoy a spacious home which has grown and grown over the years. The Three Rivers Ride crosses the land on which it is to be built which will provide an uneasy mix of walkers, horse riders and vehicles to and from The Flow House. It simply does not meet the government's requirements for a house built in open countryside. It is not of outstanding design. It does not enhance the landscape. On those two criteria alone the house does not meet the (rightly) restrictive planning laws for the countryside. To allow The Flow House to be built will be a serious planning misstep which is almost certain to lead to a legal challenge. It sends out totally the wrong message that at a time when much needed low income housing is vitally needed the council will be seen to be favouring a single house. I very much hope common sense will be applied to the overwhelming feeling of both villagers and the wider public. Open countryside, especially now, is for everyone, not the few."

OFFICER COMMENTS

In respect of the comments raised by the British Horse Society, the agent has confirmed to officers that the proposals do not include any change to the PROWs, including the Three Rivers Ride. That surface would remain as is and all new gates are as clearly included within the proposed plans. Members are referred to condition 6 of the recommendation in respect of a condition requiring the submission of a Construction Management Plan prior to commencement of works.

The only new consideration raised in the two local letters of representation refers to site notice procedures. The Council erected site notices adjacent to the public highway at the site entrance, as well as surrounding the site, where possible. The application had also been placed in the local press. Hence, the Council is satisfied that it has fulfilled its statutory duty to inform any interested party publically about this application.

Finally, at paragraph 2.1 of this agenda item, it needs to be confirmed that the Core Strategy is now in review. This should read as follows: *"The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. From reviewing those policies most pertinent to the determination of this application, they are viewed to be entirely consistent with the NPPF and as such, significant weighting can be afforded to these policies."*

NO CHANGE TO RECOMMENDATION