

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	17 JULY 2024
TITLE OF REPORT:	<p>240980 - APPLICATION FOR VARIATION OF CONDITION 2 OF PERMISSION P230283/L (ENGINEERING WORKS TO REINFORCE MORDIFORD BRIDGE AT FLOOD ARCH NO.2 AND NO.3. THE WORKS WILL INVOLVE DISMANTLING THE EXISTING PARAPET; CASTING A NEW REINFORCED CONCRETE CORE AGAINST THE EXISTING UPSTREAM SPANDREL WALL; EXTENDING THE NEW CONCRETE WALL INTO THE PARAPET; AND AT MORDIFORD BRIDGE, MORDIFORD, HEREFORDSHIRE, HR1 4LN</p> <p>For: Herefordshire Council per Emma Redfern, 100 Wharfside Street, The Mailbox, Level 2, 100 Wharfside Street, Birmingham B1 1RT</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240980
Reason Application submitted to Committee - Council Application	

Date Received: 9 April 2024

Ward: Backbury

Grid Ref: 356891,237502

Expiry Date: 4 June 2024

Local Members: Cllr Graham Biggs

1. Site Description and Proposal

- 1.1 Mordiford Bridge is located to the West of Mordiford and within the Mordiford Conservation Area and is also identified as a Grade II listed asset. The bridge is coursed and dressed sandstone rubble. The site is located within the River Wye SAC and SSSI impact Zone.
- 1.2 The proposed amendment to the already approved reinforcement works (Application P232083 refers) involves the placing of a new concrete wall in front of the cutwater stones, which would remain in situ. The new concrete wall would be faced with new stone, cut and dressed to replicate the historic stones which would be protected in perpetuity with a protective membrane between them and the concrete wall.

2. Policies

- 2.1 Herefordshire Local Plan Core Strategy 2011- 2031 (CS)

SS1 - Presumption in favour of sustainable development
SS4 - Movement and transportation

Further information on the subject of this report is available from Mr Joshua Evans on 01432 260327

- SS6 - Environmental quality and local distinctiveness
- LD1 - Landscape and townscape
- LD4 - Historic environment and heritage assets
- SD1 - Sustainable Design and energy efficiency

2.2 Hampton Bishop Neighbourhood Development Plan:

- HB4 - Protecting Heritage Assets and Archaeology
- HB8 - Landscape Design Principles

2.3 National Planning Policy Framework

- 2. Achieving Sustainable Development
- 4. Decision-Making
- 12. Achieving Well-Designed Places
- 15. Conserving And Enhancing The Natural Environment
- 16. Conserving And Enhancing The Historic Environment

2.4 The Core Strategy 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/info/200185/local_plan/137/adopted_core_strategy

2.5 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 and the review process is currently underway. 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. In this case, the most relevant policies of the CS have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

3. Planning History

3.1 P230283/L- Engineering works to reinforce Mordiford Bridge at flood arch No.2 and No.3. The works will involve dismantling the existing parapet; casting a new reinforced concrete core against the existing upstream spandrel wall; extending the new concrete wall into the parapet; and cladding the exposed concrete with masonry to match the existing bridge. Approved with Conditions

4. Consultation Summary

Statutory Consultations

4.1 Historic England

Thank you for your letter of 24 April 2024 regarding the above application for listed building consent.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Internal Council Consultations

4.2 **Principal Building Conservation Officer- No Objection**

The submitted variation of condition is supportable as the proposed design amendment relates to the retention of the historic cutwater stones and their replication with new cutwater stones as per the approach previously approved for the voussoir and spandrel stonework.

As such, the less than substantial level of harm identified in previous heritage comments for the extant scheme remains the same for this variation application, and the great weight this attracts should be balanced against any public benefits.

Conditions

CH3 - MASONRY SAMPLE

No works in relation to above ground demolition, or construction of the new reinforcing wall, or stone slip facing wall with new cutwater stones, shall commence until a sample cutwater stone, carved, fully hand tooled, and finished, and of the exact dimensional form proposed has been provided on site for inspection against the historic cutwater stone it will replicate.

Confirmation of the materials, dimensions and finished appearance shall be approved in writing by the Local Planning Authority and carried out accordingly.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework

5. **Representations**

5.1 Hampton Bishop Parish Council

No comments provided at the time of writing

5.2 Third Party Representations

1 objection of objection has been received. The

- Concern over structural integrity
- Concern over repair work previously undertaken
- Concern that insufficient justification has been provided for the works
- Concern over impact with regard to ecology
- Concern over pedestrian use
- Disagreement with Heritage Impact Assessment

5.3 The consultation responses can be viewed on the Council's website by using the following link: https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240980

6. Officer's Appraisal

Policy context and Principle of Development

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS), the made Hampton Bishop Neighbourhood Development Plan (HBNDP), and the National Planning Policy Framework (NPPF) is also a significant material consideration.

6.3 As an amendment to the previously approved Listed Building Consent for works to the bridge, the principle of reinforcing it have been established and this acceptability of this application therefore relates to the an assessment of its impact upon the character and setting of the identified heritage assets; any associated visual impact and the potential implications upon the River Lugg in terms of its SAC, SSSI and SWS status.

Impact upon Historic Assets

6.4 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "When considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

6.5 Core Strategy Policy LD4 states that heritage assets should be protected, conserved and where possible enhanced, emphasising the original form and function where possible. Development proposals should seek the retention and repair of heritage assets

6.6 Policy HB4 of the NDP, pertaining to the historic environment and its management, require the conservation and enhancement of heritage assets.

6.7 Chapter 16 of the NPPF discusses the requirements to maintain heritage assets, and that they should be conserved in a manner appropriate to their significance.

6.8 The proposal falls within the Mordiford Conservation Area, the Local Planning Authority has undertaken its statutory duties as prescribed within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal has been reviewed by the Principal Building Conservation Officer who has concluded that the proposal would not have an adverse impact upon the Conservation Area.

6.9 The proposal seeks to retain the historic cutwater stones and replicate these in line with the approach approved for the voussoir and spandrel stonework. As highlighted by the Principal Building Conservation Officer the proposal is deemed to result in less than substantial harm to the Grade II listed asset. In line with Paragraph 214 of the National Planning Policy Framework it is noted that the public benefits associated with the proposed engineering works to secure the long term viability of the structure provide both economic and social benefits which together with ensuring the Grade II listed asset is retained is considered to outweigh the less than substantial harm that has been identified.

Landscape, Design and Appearance

- 6.10 CS Policy LD1 is of relevance to this proposal, and requires that proposals demonstrate that the character of the landscape and townscape has positively influenced the design scale, nature and site selection of the development
- 6.11 Policy SD1 of the CS states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, and proportions and massing of surrounding development.
- 6.12 HBNDP policy HB8 Development proposals should seek to protect and enhance the character of the village both within and outside the conservation area. The demolition of buildings and structures that contribute to the character and appearance of the conservation area will be resisted.
- 6.13 The proposed amendment would not adversely impact the wider landscape nor the overall appearance of the Grade II listed asset given its limited scale and visibility and it is considered that the proposal would represent a more sympathetic alteration than previously approved. As such the proposal therefore does not raise concerns with regard to landscape nor appearance of the bridge.

Other matters

- 6.14 It is not within the remit of this Listed Building Consent application to consider the impact upon water resources and potential ecological, nor the highways impacts of the proposal as this is an amendment to the Listed Building Consent only. These are matters that in the context of this proposal will be regulated by other legislation including the Wildlife and Countryside Act and the Highways Act. Notwithstanding this, attention is drawn to the previously determined and extant application P230283/F in which these issues were reviewed.

Conclusion

- 6.15 The application seeks to vary condition two of P230283/L under Section 19 of the Planning (Listed Building and Conservation Area) Act 1990 and in this regard should replicate the relevant conditions from the original listed building consent and, where these have been discharged, will be reworded to require compliance with the approved plans. The application has been referred to Planning Committee on the basis that it is a Council owned development for which there is a material objection in line with Section Five, 3.5.4 of the Herefordshire Council Constitution.
- 6.16 Having assessed the application against the development plan as well as the duties imposed under Sections 66, and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is therefore concluded that the proposed amendment to the scheme be recommended for approval

RECOMMENDATION

That Listed Building Consent be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. The works shall be carried out strictly in accordance with the approved plans (70097406-WSP-SK001 and 70097406-WSP-SBR-SWI-DE-CB-001 Rev.A), except where otherwise stipulated by conditions attached to this consent.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan –Core Strategy and the National Planning Policy Framework.

- 2. No works in relation to above ground demolition, or construction of the new reinforcing wall, or stone slip facing wall with new cutwater stones, shall commence until a sample cutwater stone, carved, fully hand tooled, and finished, and of the exact dimensional form proposed has been provided on site for inspection against the historic cutwater stone it will replicate.**

Confirmation of the materials, dimensions and finished appearance shall be approved in writing by the Local Planning Authority and carried out accordingly.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 3. No works in relation to above ground demolition, or construction of the new reinforcing wall, or its stone slip facing wall, shall commence until details listed below are submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in full in accordance with the approved details.**

- **Petrographic survey of existing stonework to inform appropriate stone type for new stone slip walling;**
- **Photogrammetric survey of existing stonework to inform appearance of new stone slip walling;**
- **1:20 elevation(s) of new stone slip facing walls, illustrating proposed stone slip sizes, shapes, coursing arrangements and re-used cutwater tooled stones;**
- **Samples of new stone types to be utilised for new stone slip walling; and**
- **Details of materials and methods to be used to infill removed cutwater tooled stones, and as shown on drawings, to a scale of 1:20.**

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building, in line with Policy LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4. No works in relation to above ground demolition, or construction of the new reinforcing wall, or its stone slip facing wall, shall commence until sample panels of all new facing stonework is provided on site at a minimum size of 1m x 1m for the parapet wall, and 2m x 2m for the spandrel walls, and showing the proposed stone types, sizes, colour, texture, face-bond, mortar mix, joint thickness and finish profile.**

Confirmation of the materials and methods shall be approved in writing by the Local Planning Authority and carried out accordingly. The approved sample panels shall be retained on site until the work is completed.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in line with Policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 5. A schedule of works shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. No work shall be carried out other than in accordance with the approved schedule.**

Reason: To safeguard the architectural and historic interest and character of the listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in line with Policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework

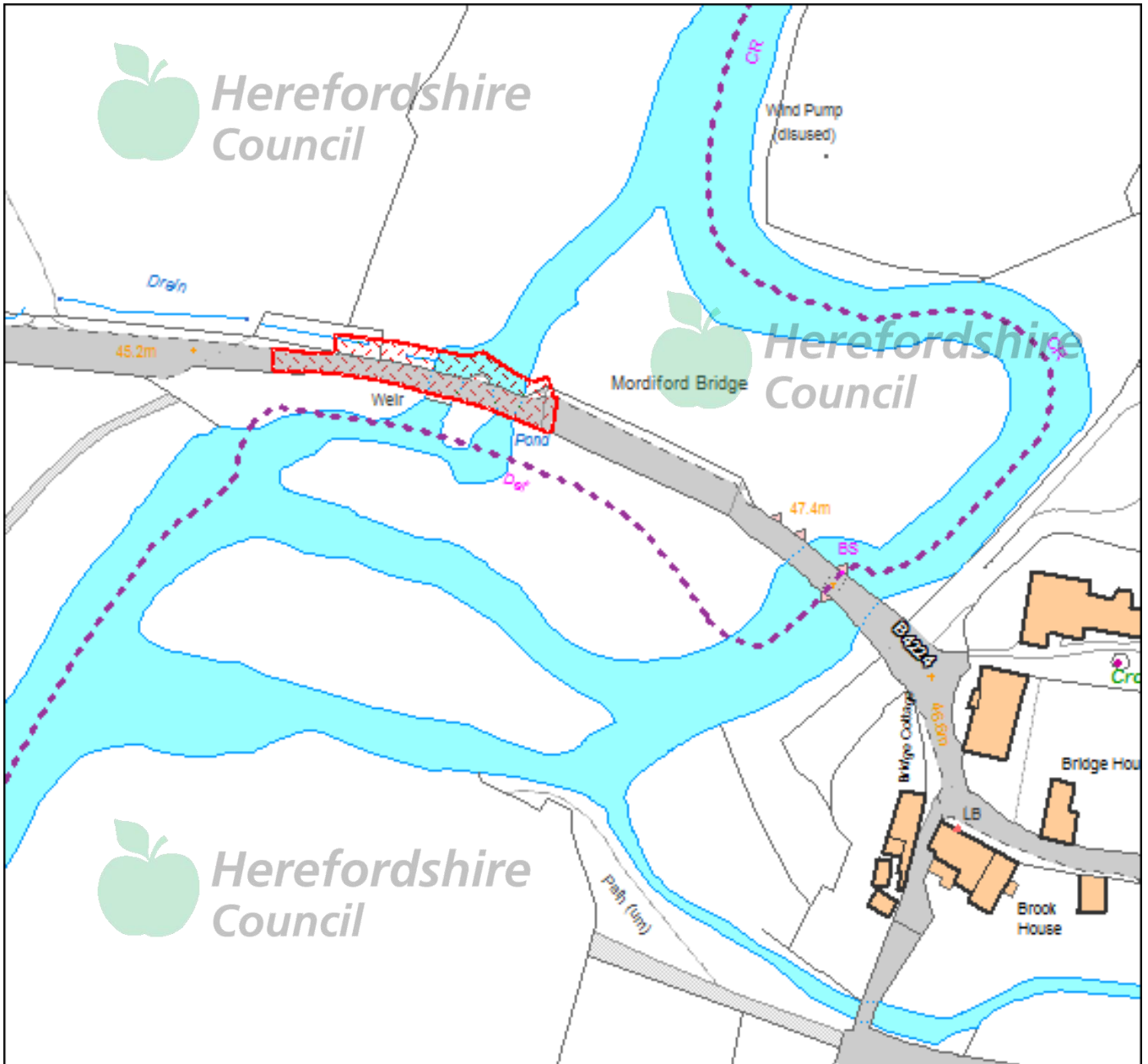
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 240980

SITE ADDRESS : MORDIFORD BRIDGE, MORDIFORD, HEREFORDSHIRE, HR1 4LN

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