

**Park Haven, Rock Road, Newton St Margaret's, Hereford,  
HR2 0QW**

## **Planning Appeal – Full Statement of Case**

First floor extension on the west facing elevation to accommodate one bedroom and raised decking area.

**Planning Application Reference: P220254/FH**

Prepared on behalf of the Appellant's Mr Peter Lewis & Mrs Sarah Lewis



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# 1. Introduction

- 1.1 On the 22<sup>nd</sup> August 2022, Herefordshire Council LPA refused planning permission for a First floor extension on the west facing elevation to accommodate one bedroom and raised decking area to the Appellants property of Park Haven, Rock Road, Newton St Margaret's, Hereford, HR2 0QW
- 1.2 This Full Statement of Case represents the Appellants case for the Appeal. The brief for the project had been proposed by the current owners Mr & Mrs Lewis to extend their undersized [REDACTED] bedroom and provide a more appropriate accommodation for their [REDACTED] within the constraints of the location.
- 1.3 The new extension will be occupied by the appellants [REDACTED] where requirements formed the core of the brief. The [REDACTED] bedroom which is the target for the extension as it currently stands is only able to accommodate a single bed leaving little room for other furnishings therefore in dire need of enlargement. Other locations as arbitrarily recommended by the LPA were previously assessed for their merit however the impact to the internal rooms would prove detrimental with severe reduction in light and potentially detract from the nearby listed building therefore this elevation was justified and chosen for the extension.
- 1.4 This appeal request is regarding the first submitted design as amendments made in the subsequent application were to adhere to requests from the LPA however the original design is pursued as it fulfils the briefs intentions.
- 1.4 The application (LPA Ref: P220254/FH) was determined under delegated powers and refused for the following reasons.
- 1.5 *In respect of extensions to dwellings, planning policy SD1 of the Core Strategy is applicable. This states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, proportions, and massing of surrounding development. The proposal should also safeguard the amenity of existing and proposed residents in terms of overlooking, overshadowing and overbearing. This policy is supplemented by policy LD1 which makes it clear that development proposals should demonstrate that the character of the landscape has positively influenced the design. Policy LD1 also goes onto cover landscape designations and states that development proposals should demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements.3 PF1 P220254/FH Page 7 of 8 Policy SS6 states that development proposals should be shaped through an integrated approach to planning a range of environmental components from the outset, including the historic environment and heritage assets. Furthermore policy LD4 states that development involving heritage assets and their setting should protect, conserve and, where possible, enhance in a manner appropriate to their significance through management, uses and design. While the building is not listed in its own right, it is identified as a non-designated heritage asset and the original conversion to a dwellinghouse was supported due to the building's significant heritage value which has been successfully retained throughout the conversion process. In light of this, paragraph 203 of the NPPF is engaged which states the following: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and*

*the significance of the heritage asset. This is also in conjunction to its setting with a Grade II listed dwelling adjacent and several other listed buildings nearby. Policy 1 of the made NDP states that proposed need to protect and enhance the local environment by way of their design and scale*

*reflecting the character of the local environment and existing buildings in a way which preserves or enhances the natural and historic beauty of the local area and that they protect and enhance wildlife sites, listed buildings and ancient monuments and assets such as stone walls, wildlife sites and commons. Impact of extension Initial comments were received from the Building Conservation Officer which aligned with the case officers view with regard to the design approach taken and the impact of the extension to the dwelling. After a meeting took place on site, amended plans were received from the agent. However the revisions still raise objections and concerns. It is considered that the proposed extension on stilts with an offset roof pitch along with dormer window and glazed balcony is completely at odds with the aesthetic character of the non-designated heritage assets and the wider landscape including several heritage assets. The timber cladding would contrast negatively with the primary material of stone on site and would therefore become an alien feature negatively impact the stone on the barn contrary to CS LD1 and LD4. It is also noted that the extension is prominent being wholly visible from the access road and would be the first structure visible on the approach to the site. The erection of an extension of this design and scale is considered to adversely impact the wider landscape and the nearby heritage assets. Paragraph 199 of the NPPF states that great weight should be given to conserving heritage assets from harm through development, irrespective of the level of harm. In this instance, the development would fail to conserve or enhance this building, which by virtue of its converted nature, can be considered to display merit in terms of its heritage value. Therefore the proposal is considered to be contrary to CS Policies and refusal is recommended.*



## 2. Description of Proposal Site & Surrounding Area.

- 2.2 Site History Park Haven, seen below highlighted in red, is located to the North-East of St Margaret's Church, Herefordshire;



- 2.3 In July 2000 neighbouring Park Farmhouse gained Grade II Listed status and therefore Park Haven is now considered to 'be in the setting of a listed building' not curtilage listed. Park Farmhouse (listing number 1380561) is a former farmhouse built circa late 16<sup>th</sup> century and has been extended and altered in the 17<sup>th</sup>, 18<sup>th</sup> and 20<sup>th</sup> centuries. Construction is a combination of timber frame, stonework and brickwork. Access to Park Farmhouse is via a single lane track the runs along the West boundary of Park Haven, and Park Haven is partly visible from the track, although plant growth and trees along the boundary maintain Park Haven's privacy.

### 3. Surrounding Area

- 3.1 The areas immediately surrounding Park Haven are rural in character with farming land to all boundaries with the exception of the southeast boundary which includes a timber clad agricultural barn and a Grade II listed residence called Park Farmhouse set behind Park Haven as indicated in the image below (*fig 1*).



*Fig 1*

- 3.2 There has been precedence set for the use of timber framed extensions within close proximity to Park Haven at the residential site The Meadows which is of brick construction with the proposed extension being a timber and glazed panel façade visually distinct from the original structure.



*Fig 2*

- 3.3 The Meadows Highlighted in blue, Park Haven red and Park Farmhouse Grade II Listed in green.

“One storey timber framed & glazed extension to the south elevation measuring 6100mm long x 3600mm wide x 3363mm high to top of hipped tiled roof.”

(Planning Ref - P184429/V)





Fig 3



Fig 4

- 3.4 The adjacent barn (*fig 3*) to Park Haven falls within the curtilage of Park Farmhouse and its own construction is of Timber weatherboarding and profiled metal roof panels much in the same as Park Havens use of timber weatherboarding upon its own North Elevation (*fig 4*) both contextual locations informing and justifying the use of the material in the proposal.



Fig 5

- 3.5 As to the context of the parish a great example of the use of timber cladding is upon the prominent Church of St Margaret a Grade I listed building with much the same material juxtaposition as Park Haven's proposal with the combination of stone and timber informing the design.
- 3.6 (*Fig 5*) Image of the Grade I listed Church and Extract from Historic England 'Bell turret: coursed rubble above apex of nave roof, above which is weatherboarded bell-chamber jettied to west, four square holes in weatherboarding on north and south faces, pyramidal stone slate roof topped by copper weather-vane in the form of an arrow.' (Historic England, 2022)

## 4. Description of Proposal

- 4.1 The application proposes the extension of the existing building from its northwest elevation increasing the habitable space for the appellant [REDACTED] bedroom.

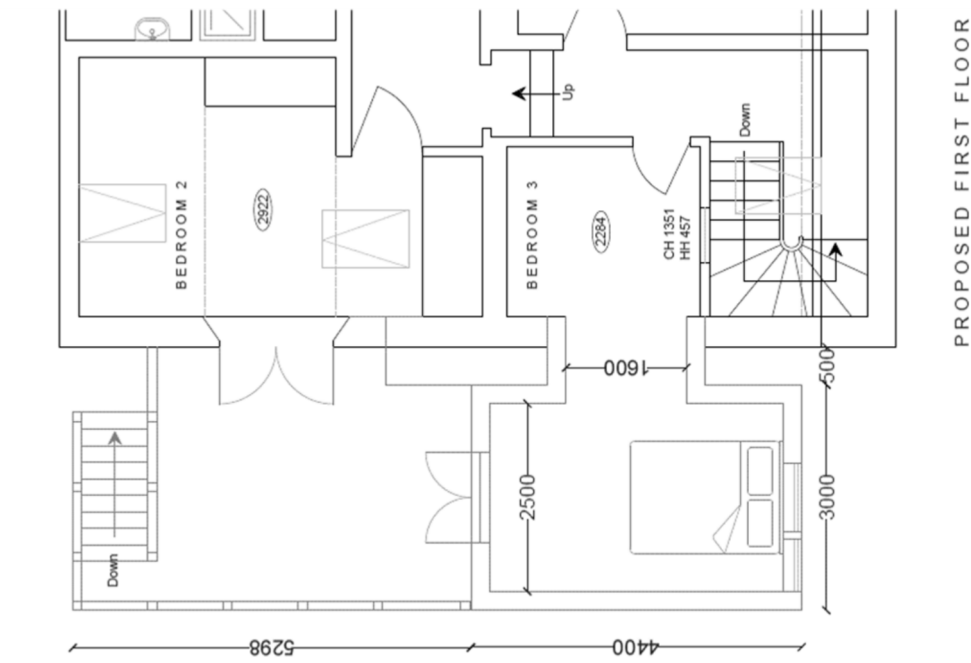


Fig 6

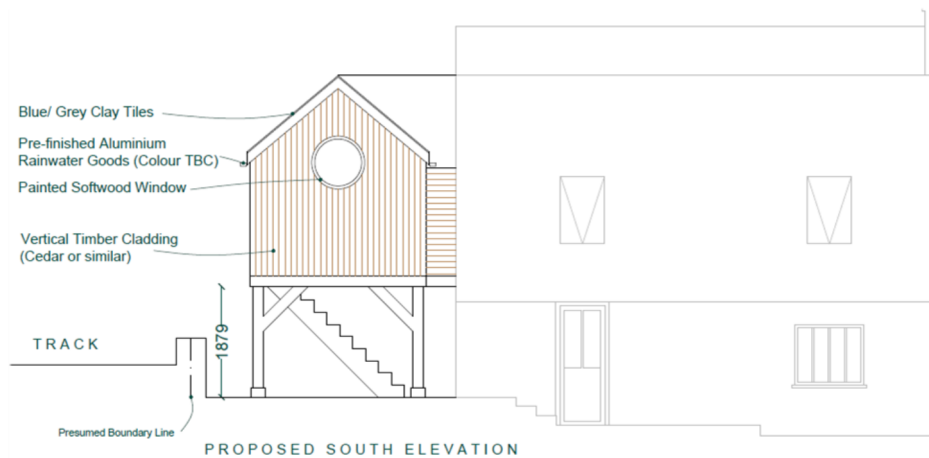
- 4.2 The first-floor extension with a ridge line 90 degrees to the existing house and a raised decked area which could be accessed from both the second and third bedrooms as well as from ground level.



Fig 7

- 4.3 The exposed timber structure supporting the first-floor extension is considered an appropriate balance for the site as the open frame design minimises the reduction of light into the room below the extension and allows for movement to access the rear of the property without traversing through the house. There is also a difference in height between the ground floor and external ground level meaning extensive excavation would be required to increase the head height and make any proposed ground floor room below the extension useable.

- 4.4 Turning the ridge line by 90 degrees, rather than a continuation of the existing ridge line, allows for the steps up into the extension and still maintain sufficient head height to the new bedroom.



*Fig 8*

- 4.5 The proposals material choice of timber cladding was a reflection of the local area's sympathetic juxtaposition of materials keeping the proposal subservient and neutral, respecting the aspect, orientation and shape of Park Haven while delineating the extension from the existing.
- 4.6 The proposal is considered a fine balance in achieving the appellant's brief, enhancing and minimising the impact to the building's aspects, the listed setting and providing the appellants [REDACTED] a space [REDACTED]
- 4.7 The extension of the existing façade as recommended by the LPA would result in a more dominant presence, block light, reduce access to the rear of the property, incur significant and unnecessary expense from structural works, create a visual disparity between the stone of the proposed & existing causing more harm to the setting.

## **5. Other Design Options Explored**

- 5.1 Initially we explored alternative locations for a third double bedroom to the East of the property. However, the following options were discounted in the following summary.
- 5.2 Option 1 - Extending over the single storey extension to the Northeast of the property, discounted as access cannot be gained via the first floor study due to structural ties in the existing load bearing external wall. The solution for this would be to either move the current staircase or provide a separate staircase to the new bedroom. Additionally, the space created by a first-floor extension in this location would be a similar size to that of the existing third bedroom and therefore an extension in this location would not meet the requirements of our client's brief.
- 5.3 Option 2 -Extending over the existing conservatory on the South elevation. This option was discounted as it would result in an extreme loss of light to both the existing master bedroom and the kitchen. The kitchen on the ground floor is to the North of the property and receives most of its natural light from an internal window to the South looking into the conservatory.
- 5.4 Building above the conservatory would significantly reduce natural light to the kitchen to an unacceptable level. An extension in this location would also result in the loss of the window to the master bedroom and the new bedroom would overlook neighbouring Park Farmhouse. Therefore, for the combination of reasons listed, this option was not deemed a suitable solution.
- 5.5 Option 3, the option developed into the proposed scheme, is to extend the existing third bedroom to the West. This would create enough floor space for a double bed and the existing bedroom become a dressing area or study and form part of the new, larger, third bedroom.

## **6. Planning Policy.**

- 6.1 The planning policy background is set out in the supporting D&A Statement which accompanied the planning application. Whilst the Inspectors attention is drawn to this it is not proposed to repeat the full content here.

## 7. The Case for the Appellant.

- 7.1 The Planning Application was refused on 22nd August 2022 for the following reasons:
- 7.2 *The proposed extension, by virtue of its design, siting and appearance, would be an unacceptable form of development that would be out of keeping with the agricultural character of this converted building and detrimental to its contribution to the character of the site and would not conserve or enhance its immediate setting and surrounding area. As such, the proposal is contrary to policies SD1, LD1, LD4, SS6 and RA5 of the Herefordshire Local Plan – Core Strategy and Policy 1 of the Vowchurch and District Group NDP, that seek to ensure development respects the character of the area and its surroundings and the National Planning Policy Framework that promotes and reinforces the importance of a sense of place and conserving and enhancing of the historic environment, with particular relevance to Sections 12 and 16.*
- 7.3 Rebuttal to Reasons for Refusal**
- 7.4 The following sections were sighted as the reason for refusal including a brief summary of their intentions
- SD1, LD1, LD4 - regarding sustainable development, SS6 - Managing heritage asset & RA5 - re-use of rural buildings all within Herefordshire Local Plan – Core Strategy.
- Policy 1 of the Vowchurch and District Group – Protection of the Natural environment and Heritage assets.
- NDP & National Planning Policy Framework Sections 12 and 16 – protection of the built environment.
- 7.5 The LPA's justification for refusal refers to the affect the proposal will have on the heritage assets within the Newton St Margaret's, which the LPA considers causes direct harm to the significance of the nearby Listed Buildings, Heritage assets and the Grade II listed Park Farmhouse adjacent to the proposal. In addressing this concern, it is important to assess the nature of the site and extent of the development proposed, ie. the material choice, prominence of the extension and the visual impact the proposal has on the significance of the heritage assets.

- 7.6 The appellant acknowledges that the proposed site is located within the setting of a listed building however the impact of this building should be considered inappreciable as Park Farmhouse (Grade II Listed) is sufficiently set back from the track and removed from viewpoints due to Park Havens prominence as depicted in the following images. As for its impact to the surrounding areas heritage assets, Park Havens secluded location and considerable foliage significantly diminishes the detrimental effects of the proposed.



*Fig 9*

*The relatively private track leading past Park Haven leading to Park Farmhouse (Grade II Listed) stepped far back from the road.*



*Fig 10*

*Park Haven and proposed elevation as it stands from the access track. The adjacent barn then Park Farmhouse (Grade II Listed) stands in the background.*

- 7.7 A Heritage Statement was submitted with the planning application, at the request of the LPA with detailed rebuttal to the reasons highlighted by the LPA's Conservation Officer. This Heritage Assessment is submitted with the appeal to inform of the direct rebuttal to the issues that were highlighted.
- 7.8 The Local Planning Authority's approach in identifying the impact of the proposed upon the local heritage assets is inconsistent with the guidance and effectively allows for the identification of any building in this way without providing sound evidence, as required by the NPPF.
- 7.9 Importantly, when the request was made by the LPA for submission of a Heritage Statement for the planning application, after initial submission was made, no reference was made to the submitted heritage statement. The Heritage Assessment submitted with this appeal sets out our assessment and justification of the advice provided by the LPA's Conservation Officer recommended unviable solutions for the proposed extension. These on-site suggestions In our opinion would have a greater impact on the heritage assets without achieving the initial brief.



- 7.10 The Heritage Assessment document concludes that we have explained our thought process behind the location of the extension and the design of the proposed extension including material choice and why they are deemed appropriate and sympathetic for the building, setting and local environment.
- 7.11 Herefords Local Development Plan RA5 refers to the sustainable re-use of individual and groups of redundant or disused buildings within rural areas, which will make a positive contribution to its environment, support the local economy or which otherwise contributes to residential development, or is essential to the social well-being of the countryside. The following sections are believed to be relevant to the rejection and our rebuttal.
1. Design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable opinion for the long-term conservation and enhancement of any heritage asset affected, together with its setting.
  4. The buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction.
  5. The building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.
- 7.12 Consideration has been given to the property's location within the setting of a listed building and the advice received from the LPA's Conservation Officer whilst developing the scheme. The revised proposal has taken all advice into consideration and developed accordingly in line with advice and the requirements of the client, setting and contribution to the significance of Park Farmhouse, the Park Haven as a converted barn and the local heritage assets. However, this conclusion must be put into the context that the Local Planning Authority has not attempted to identify the proposal as such or provided any sound evidence as to its true impact throughout the planning application process.
- 7.13 In terms of the Listed Buildings, the Heritage Assessment submitted with this appeal opines that the immediate setting of the buildings has limited significance. Thus the contribution that setting makes to its significance is a rather limited whilst the historic setting and character of Park Farmhouse (Grade II Listed) has not been lost by way of the proposal.
- 7.14 The Heritage Assessment considers the setting of the Listed Buildings in relation to the proposed development, concluding that there is very limited setting relationship between the asset and the application site, and the area that can be seen is to remain open, as shown on the indicative layout. The assessment considers that the proposals will have a neutral effect upon the setting of the heritage asset and thus preserve its significance, thus complying with the requirements of SD1, LD1, LD4, SS6 & RA5 of the Herefordshire Local Plan – Core Strategy, Policy 1 of the Vowchurch and District Group NDP & National Planning Policy Framework Sections 12 and 16.

- 7.15 As summarised in Herefords Core strategy for policies SS6, SS7, LD1, LD2, LD3 & LD4 To conserve, promote, utilise and enjoy our natural, built, heritage and cultural assets for the fullest benefits to the whole community by safeguarding the county's current stock of valued heritage and significant environmental assets from loss and damage, reversing negative trends, ensuring best condition and encouraging expansion, as well as appropriately managing future assets. The design submitted by the Appellant has demonstrated that the proposed development has been informed by, and is sympathetic to the landscape, character, quality, it contributes to landscape enhancement and shows proper regard of the relationship of the site to its surrounding area.
- 7.16 The assessment considers that the proposals in respect to the location Park Farmhouse will have a very minor effect upon the setting of the heritage asset. But we question the assets inclusion in the consideration at all. Thus, the proposal is in accordance with adopted and emerging national and local heritage planning policy.

## 8. Summary.

- 8.1 Brief – to provide an appropriately sized bedroom for the Appellants [REDACTED] as [REDACTED] requires a bedroom that can accommodate more than just a bed.
- 8.2 Design – In keeping with the local vernacular, suitably scaled, proportionate and in context to the set back listed building.
- 8.3 Impact – negligible to neighbouring listed building and the greater area as its location is relatively remote, concealed and down an isolated road. The material choice reflects the local character and is more suitable to retain the original buildings visual distinctiveness while adding a neutral detail to the overall façade.
- 8.4 Policy & Location– Meets and satisfies Local Plan requirements, with materials reflecting the local vernacular and a form that does not detract from its immediate setting and enhances the appearance of the existing building.

## 9. Conclusion.

- 9.1 It is respectfully requested that consideration be given to upholding this Appeal.
- 9.2 The Appellants Park Haven proposal should be considered on its own merits as a low impact extension that has been sympathetically designed to adhere to the sustainable development objectives identified in the NPPF and local policies. The current Planning Policies seek to restrict but not eliminate developments within listed/ protected settings that are located within the countryside.
- 9.3 As summarised in Herefords Core strategy for policies SS6, SS7, LD1, LD2, LD3 & LD4 To conserve, promote, utilise and enjoy our natural, built, heritage and cultural assets for the fullest benefits to the whole community by safeguarding the county's current stock of valued heritage and significant environmental assets from loss and damage, reversing negative trends, ensuring best condition and encouraging expansion, as well as appropriately managing future assets. The submitted design submitted by the Appellant has demonstrated that the proposed development has been informed by, and is sympathetic to, landscape character and quality, and that it will contribute to landscape enhancement and shows proper regard of the relationship of the site to its surrounding area.
- 9.4 The approved application on the neighbouring house called The Meadows (Planning Ref - P184429/V) is in closer proximity to Church of St Margaret a Grade I listed building marking it as of exceptional interest and requiring a high degree of protection with the same policies used as justification for refusal however this

application. This approved application in question, though identified in the report as being in close proximity to the Grade I listed building, were not pursued nor rejected with the policies used to justify the Appellants application.

- 9.5 The design submitted by the Appellant would not have a harmful impact on the quality of the landscape, the design for Park Haven follows the local character and material precedence and echoes approved developments within the village. Adequate justification has been submitted to demonstrate that the proposal would not constitute inappropriate development and does not have a significant adverse effect on neighbours, the environment, the landscape character, local amenities, local heritage assets and appearance of the locality.
- 9.6 The council's reasons for refusal are not justified nor fair and the inspector is respectfully requested to allow this appeal and grant planning permission.