

8 DMNE/092359/F - PROPOSED TWO STOREY THREE BEDROOM DWELLING AT 88 BRIDGE STREET, LEDBURY, HEREFORDSHIRE, HR8 2AN.

For: MR & MRS LEEMING per MR DEREK WHITTAKER, FARJEON CLOSE, NEW MILLS, LEDBURY HEREFORDSHIRE, HR8 2FU.

Date Received: 26 August 2009 Ward: Ledbury Grid Ref: 370585,237684

Expiry Date: 21 October 2009

Local Members: Councillors ME Cooper JK Swinburne and PJ Watts

1. Site Description and Proposal

- 1.1 The application site lies on the northern side of Bridge Street within Ledbury. Number 88 Bridge Street is an end of terrace property with a long rear garden. To the west of 88 Bridge Street, some 6 metres from its western flank is a private driveway that leads to an existing area of "backland development" a terrace of four houses comprising numbers 90 – 96 Bridge Street (also known as Harold Place). This is best appreciated by viewing the site plan relating to this agenda item. It should be noted that number 90 Bridge Street has a single storey extension to its eastern elevation. Some 17 metres north of the site is the rear of a two-storey linked detached house at 31 Queen's Way.
- 1.2 The proposal is to utilise and extend the existing driveway between the western flank elevation of 88 Bridge Street and the existing private drive serving 90-96 Bridge Street, to access the rear garden area. At the end of that rear garden it is proposed to erect a two-storey dwelling parallel to number 90 Bridge Street wrapping around its existing single storey side extension.
- 1.3 The proposed new dwelling would maintain a gap of between 650mm and 750mm with the flank wall of number 90 Bridge Street. The proposed house is a two storey three bedroomed house. It would project some 3 metres in front of 90 Bridge Street and a balcony would be provided upon the southern elevation at first floor level. It is designed in a contemporary style reflecting sustainable design principles. The eaves height would match that of the adjacent terrace whilst the highest point of the roof would be lower than that at 90 Bridge Street. A low pitched sedum roof is to be provided with a small section of a standing seam zinc roof sheeting. The building has been designed such that other than a ground floor kitchen/breakfast room window on the ground floor of the northern elevation, all other windows face south.
- 1.4 The proposed dwelling would have a frontage garden with a length of 33 metres and the retained rear garden at 88 Bridge Street would have a length of 11-12 metres.
- 1.5 Revised car parking arrangements would provide two car parking spaces for the retained dwelling at 88 Bridge Street and two car parking spaces for the proposed dwelling.

2. Policies

S1	–	Sustainable Development
S2	–	Development Requirements
S3	–	Housing
DR1	–	Design

- DR2 – Land use and activity
- H13 – Sustainable Residential Design
- H15 – Density
- H16 – Car Parking
- H1 – Hereford and the market towns: settlement boundaries and established residential areas

3. Planning History

- 3.1 95/0828 – Outline application for a dwelling – Refused. This historical application lacked detail. Concern existed as to the adequacy of the access and parking arrangements together with the inter-relationship with number 88 Bridge Street.

4. Consultation Summary

Statutory Consultations

- 4.1 Severn Trent Water has no objection to the proposed development.

Internal Council Advice

- 4.2 Transportation Section – no objections.

5. Representations

- 5.1 The Ledbury Town Council who objected to the originally submitted plans recommend approval of the amended scheme.

- 5.2 The occupiers of three dwellings in the immediate area object on the following summarised grounds:-

- Loss of light to neighbouring properties;
- Loss of privacy, especially from proposed balcony;
- The building is too large;
- Overshadowing – loss of light to front door and lounge of number 90 Bridge street adjacent;
- Effect upon foundations / structure of 90 Bridge Street;
- Inadequate access arrangements; and
- Noise.

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

6. Officer's Appraisal

- 6.1 The application site lies within the built-confines of Ledbury. As such policy H1 of the Herefordshire Unitary Development Plan 2007 allows for housing development subject to the detail being considered acceptable in environmental terms. It must be recognised that both Central Government advice contained within Planning Policy Statement 3 and the Herefordshire Unitary Development Plan 2007 place emphasis upon making the most efficient use of land within existing built-up areas. The site has a total area of some 890 square metres. This proposal would create a density to the equivalent of 22 dwellings to the hectare, considerably less than the 30-50 dwellings to the hectare advocated by the Government. Whilst the development could be considered as a backland form of development, numbers 90-

Further information on the subject of this report is available from Mr R Close on 01432 261803

- 96 Bridge Street are also a form of backland development and the proposal is considered to represent a natural evolution of the existing pattern of development.
- 6.2 The siting of the building is considered to be appropriate being parallel to the existing house at number 90 Bridge Street. Although the proposed building projects slightly forward of the front building line of number 90 Bridge Street when one draws an angle of 45 degrees from the centre the ground floor living room window of that dwelling the proposed building would not project beyond that line. As such, it is considered that the occupiers of that dwelling would not suffer an undue loss of daylight and/or sunlight nor would they suffer an undue physical massing affect.
- 6.3 The buildings design has evolved from, amongst other matters, the constraints of the site being the single storey side extension to number 90 Bridge Street and a desire to prevent any overlooking of 31 Queens Way to the north. A conventionally designed dwelling would be very difficult, if not impossible, to achieve. Critically the eaves height of the proposed dwelling matches that of number 90 Bridge Street. The roof slopes in different directions and at different angles create interlocking planes which provides visual interest to the proposed building. Furthermore the design of the roofs also ensures that the building maintains a low profile below that of the adjacent building.
- 6.4 The proposed house has all but one window facing south. This ensures solar gain and maximises sunlight. The design also ensures that no windows other than a ground floor window face north. As such the occupiers of 31 Queens Way would not suffer any undue loss of privacy. The limited height of the proposed structure and the separation distance is such that it is considered that the occupiers of that property would not suffer any undue loss of sunlight and/or daylight.
- 6.5 No windows are proposed in the western or eastern elevations. Whilst the windows in the front, southern elevations, would overlook the frontage gardens of 90 – 96 Bridge Street, this scenario is no different to the current arrangements whereby the first floor frontage (southern) windows of number 90 Bridge Street overlook the front garden of number 92 Bridge Street and vice-versa. The important thing is that no windows are proposed in the flank elevations of the proposed dwelling. Indeed by stepping the proposed building slightly further south, it does ensure that privacy for the initial 4 metres in front of numbers 90 and 96 Bridge Street is safeguarded.
- 6.6 The proposed garden area is considered to be generous and the retained garden area for 88 Bridge Street sufficient.
- 6.7 The access arrangements and parking arrangements meet the requisite standards and are considered to be sufficient.
- 6.8 Issues of foundation design and impact upon the foundations of neighbouring properties would be dealt with under the building regulations.
- 6.9 I recommend accordingly.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be begun within one year from the date of this decision notice.**

Reason: To comply with the provisions of Section 91 (1) (b) of the Town and Country Planning Act 1990 (as amended) and to reflect the decision of the Local Planning Authority on 4 March 2009 to suspend (effective from 1 April 2009) the requirements of the Local Planning Authority's 'Planning Obligations Supplementary Planning Document (February 2008) in relation to all employment developments falling within Classes B1, B2 and B8 of the Town and Country Planning Use Classes Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, the employment element of any mixed use development and residential developments of five dwellings or less.

2. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended, including the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, (or any order revoking and re-enacting that Order with or without modification), no development normally permitted by Classes A, B, C and D of Part 1 of Schedule 2 of Article 3 shall be carried out without the express consent of the Local Planning Authority.**

Reason: To prevent an overdevelopment of the site, to safeguard the design approach and to safeguard the amenities of the occupiers of neighbouring dwellings.

3. **Prior to commencement of the development hereby permitted the following matters shall be submitted to the Local Planning Authority for their written approval:-**
 - **Written details and samples of all external materials**
 - **Written details and samples of the surfacing materials to the vehicle parking spaces**
 - **Written details of all proposed boundary treatments (i.e. siting, design (including height) and material)**

The development shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in full accordance with the approved details and thereafter maintained as such.

Reason: To ensure a satisfactory appearance to the development.

4. **Prior to the first occupation of the dwelling hereby permitted the vehicular driveway from Bridge Street and all four vehicle parking spaces shown upon the approved plans shall be provided and thereafter be kept available, free of obstruction, for the manoeuvring and parking of motor vehicles and shall not be used for any other purpose.**

Reason: To ensure adequate off-street car vehicle parking in the interests of highway safety.

5. **Prior to commencement of the development hereby permitted a facility for the secure storage of bicycles shall be submitted to the Local Planning Authority for their written approval. The development shall not commence until the Local Planning Authority has given such written approval. The secure storage facility for bicycles shall be provided prior to the first occupation of the dwelling hereby permitted and thereafter maintained and kept permanently available for such use.**

Reason: To encourage the use of modes of travel other than the private motor vehicle.

INFORMATIVES:

- 1 N15 Reason(s) for the Grant of PP/LBC/CAC**
- 2 N19 Avoidance of doubt - Approved Plans**
- 3 HN28 Highways Design Guide and Specification**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : 88 BRIDGE STREET, LEDBURY, HEREFORDSHIRE, HR8 2AN

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