

**10 DCCE2004/2530/F - ERECTION OF TWO BUNGALOWS
AT LAND TO THE REAR OF 107 GORSTY LANE,
HEREFORD, HR1 1UN****For: Mr. G. Dyer per Mr. N. La Barre, Easters Court,
Leominster, Herefordshire, HR6 0DE****Date Received: 8th July, 2004****Ward: Tupsley****Grid Ref: 53380, 39303****Expiry Date: 2nd September, 2004**

Local Members: Councillors G.V. Hyde, Mrs. M.D. Lloyd-Hayes and W.J. Walling

1. Site Description and Proposal

- 1.1 The application site comprises part of the large rear garden of a large detached two storey property that lies within the Hampton Park Conservation Area. Access to the site would be formed from Gorsty Lane and would run along the southern boundary of the plot for some 36 metres in a subdivided rear section of garden that forms the application site. The existing dwelling would retain its existing vehicular access. The distance between the existing dwelling and the western boundary of the site is 20 metres, therefore leaving a 20 metre by 24 metre area of garden for the existing dwelling. The application site therefore measures some 28 metres wide by 47 metres in length (approximately) excluding the vehicular access. The boundaries to the site area are a mix of hedgerow, leylandii trees and timber fencing. There are residential properties to the east and north of the application site whose rear aspect faces onto the site.
- 1.2 The proposal comprises the creation of a new vehicular access from Gorsty Lane, involving the removal of a portion of the mature leylandii hedgerow and low wall that currently forms the boundary with the highway. This access is proposed to be 3.2 metres in width and leads into a turning and parking area for each of the two proposed bungalows. The proposed layout includes two 'plots' each with identical 2-bed bungalows, with attached garages. These are set in a staggered position with the parking and turning areas to the front of each property.

2. Policies**2.1 Planning Policy Guidance:**

- PPG3 - Housing
PPG15 - Planning and the Historic Environment

2.2 Hereford Local Plan:

- Policy ENV14 - Design
Policy H3 - Design of Residential Development
Policy H12 - Established Residential Areas – Character and Amenity
Policy H13 - Established Residential Areas – Loss of Features
Policy H14 - Established Residential Areas – Site Factors
Policy CON12 - Conservation Areas

Policy CON13	-	Conservation Areas – Development Proposals
Policy CON14	-	Planning Applications in Conservation Areas
Policy CON19	-	Townscape

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H13	-	Sustainable Residential Design
Policy H16	-	Car Parking
Policy HBA6	-	New Development within Conservation Areas

3. Planning History

3.1 None relevant to this application.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water - recommends conditions relating to foul and surface water drainage.

Internal Council Advice

4.2 Head of Engineering and Transportation - recommends refusal of the application for the following reasons:

The introduction of any new or alternatively the adaptation and use of any existing access to serve the proposed development involving additional vehicles slowing down and making turning movements, together with the presence of waiting vehicles on the carriageway of the adjoining road would be contrary to the interests of highway safety.

The track which it is proposed to gain access is unsuitable in its present form to serve the proposed development.

The layout indicated on the deposited plan accompanying this application is at variance with the requirements of the County Council's Design and Guide and Specification for Residential Roads.

Although this response is a recommendation of refusal it could be possible to issue a conditional consent on this site if the following matters were addressed.

- a) The access to the two bungalows is single track from the road way as far as the existing house. This will lead to the hazardous situation of one vehicle leaving the site and one vehicle entering the site to find that they cannot complete the manoeuvre. This will cause the vehicle to put on its brakes half on and half off the footway causing a hazard to other road users. If however the width of the access was widened to take two vehicles as far as the existing 107 Gorsty Lane House this problem would be resolved.

- b) The turning head at the rear of 107 Gorsty Lane will have to be properly delineated and the parking spaces shown on any revised proposals for this development to ensure that adequate space has been left for vehicles to enter and leave the property in forward gear by turning within the turning space.
- 4.3 Head of Conservation - notes that the proposed bungalows are bland and banal. However given the surrounding buildings are modern there would be no impact on the setting of the Conservation Area. To conclude, the bungalows would have a minor impact on the Conservation Area.

5. Representations

- 5.1 Hereford City Council - raises concern at proper foul and surface water drainage and concern at standard of access on to Gorsty Lane.
- 5.2 Four letters of objection have been received from Nos. 13, 15 and 17 Sudbury Avenue and 1 Litley Close which raise concerns relating to the following:
- Should be a bungalow and not a 'dormer' type bungalow and that restrictions to any additional changes and permitted development rights should be removed.
 - Concern relating to layout and subsequent privacy.
 - Impact on highway safety due to substandard access.
 - Emergency services access.
 - Concern that the density of the development is too great in comparison to the character of the surrounding area.
 - Loss of privacy.
 - Additional/introduction of noise and disturbance due to proximity of new dwellings.
 - Retention of hedgerows.
 - Greater density of housing would have a negative impact on wildlife.
 - Drainage concerns - in particular the route and capacity of connection to mains.
 - Boundary fence dispute.
- 5.3 Letters of support and explanation have also been submitted by Mr. Mant, the owner of 107 Gorsty Lane who clarifies issues relating to the boundary dispute (not relevant to this application) and an offer to improve the quality of the boundary hedge between the properties.

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

6. Officers Appraisal

- 6.1 The issues for consideration in the appraisal of this proposal are:
- The principle of development.
 - The impact of the development on the character and appearance of the Conservation Area.
 - The impact of the proposed dwelling on the amenities of the neighbouring properties.
 - Highway safety.
 - Drainage.

- 6.2 The application site lies within an established residential area as designated in the Hereford Local Plan. As such the introduction of residential uses is considered acceptable subject to complying with Policies H12 to H14. Whilst this allows for some residential development, it is important that character and amenity is not unduly adversely affected by a proposal. The site also lies within the Conservation Area and as such the impact on the character of the surrounding area is increased in sensitivity.
- 6.3 One of the concerns in relation to this application is the impact of the introduction of two dwellings onto the site. After making a site visit and assessing the proposal it is considered that the two proposed bungalows would represent an unacceptable form of development. The introduction of two dwellings in the rear garden of 107 Gorsty Lane would be an over development of the site leading to an unacceptable change in the character of the area. Two dwellings appear cramped and sit somewhat uncomfortably within the surroundings thus being detrimental to the character of the Established Residential Area and Conservation Area.
- 6.4 The site is also overlooked by properties on Ryder Close. In particular No. 5, a two storey dwelling which lies in close proximity to the boundary (3.5 metres) and clearly overlooks what would be the private amenity space to the proposed bungalow on Plot 1. There is also a degree of overlooking from those dwellings that lie to the rear of the site on Sudbury Avenue. The fact the proposed dwellings are bungalows does restrict the potential for overlooking from the proposed to existing dwelling. However, the introduction of two properties in such close proximity to the existing dwelling is likely to impact in terms of additional noise and disturbance, in particular with vehicles movements between the two existing dwellings serving the two new properties.
- 6.5 Notwithstanding the above, in terms of design, whilst a bungalow would be the preferred and sensible option given the location and its surroundings, the design is somewhat simplistic in its form with a lack of fenestration detail. The reasoning behind this is to prevent an adverse impact on the adjoining proposed dwelling. However, the design does little to enhance the Conservation Area.
- 6.6 There is an objection from the Head of Engineering and Transportation to the single width access that serves the site as originally submitted. An amended plan has been submitted which widens the first 10 metres of the access to a width of 4.2 metres which meets the minimum standard and could alleviate some of the concerns relating to a conflict between two vehicles using the driveway at the same time. However, visibility and manoeuvring would still be restricted, and in light of the nature of the highway and close proximity to the blind bend to the south there are continued highway safety concerns.
- 6.7 The application form indicates that drainage of the site would be to the mains sewerage system. Welsh Water raises no objection to this and as such there is no objection to this proposal in principle. The letter of objection raised the concerns the capacity of the mains but Welsh Water have not raised this concern. Conditions are recommended.
- 6.8 To conclude, the proposal for two 2-bed bungalows set in the rear garden of the existing detached property are considered to represent an over intensive cramped and uncomfortable form of development leading to an adverse impact on the character of the surrounding area. The siting of the properties is also likely to have adverse amenity implications whilst in its present form, and having regard to the site restrictions, access is constrained and would compromise highway safety. Having

regard to this the proposed development is considered to be unacceptable in its current form as such a recommendation for refusal is proposed.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. Having regard to adopted Policies H3, H13, H14, ENV14, CON12, CON13 and CON14 of the Hereford Local Plan, the proposed erection of two detached bungalows is considered to be unacceptable for the following reasons:**

The development would represent an over intensified use of the land leading to a cramped and inappropriate form of development. As such the proposal would be detrimental to the character of the surrounding area and therefore failing to preserve the character and appearance of the Conservation Area.

The introduction of two residential properties in this location would lead to an adverse relationship between the surrounding existing and the proposed dwellings in particular in terms of overlooking and privacy.

Furthermore, the development of this nature would be expected to generate traffic and activity that would involve additional vehicles slowing down and making turning movements, together with the presence of waiting vehicles on the carriageway of the adjoining road. This coupled with the substandard access width, minimal visibility and restricted access would be a form of development contrary to the interests of highway safety.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.