

10 DCCE2007/0206/F - ERECTION OF 4 FLATS WITH PARKING UNDER. 38 FOLLY LANE, HEREFORD, HEREFORDSHIRE, HR1 1LX**For: Berekdar Enterprises, John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH****Date Received: 17th January, 2007 Ward: Tupsley Grid Ref: 52353, 40405****Expiry Date: 14th March, 2007**

Local Members: Councillors Mrs. M.D. Lloyd-Hayes, Mrs. E.A. Taylor and W.J. Walling

1. Site Description and Proposal

- 1.1 This application seeks planning permission for the erection of four flats with parking under on the site of 38 Folly Lane, Hereford. The application site was first cleared subsequent to permission being secured for the erection of a two storey semi-detached dwelling (DCCE2001/2609/F). This application now seeks permission for a more intensive use of the site with the construction of a three storey building essentially covering the entire site area with parking at the ground floor level to serve the residential units above. The site is located adjacent to a local shopping centre with associated parking, together with a recently completed apartment complex to the south east. The proposal provides pedestrian access to the elevation facing Folly Lane with vehicular access via the adjacent car park to the north west. The application site is located in a prominent position at the ridge of Folly Lane with the land banking down to the south east.
- 1.2 This is the second application for the more intensive redevelopment of this site, the previous application for five units (DCCE2006/1670/F) being refused due to the unacceptability of its design, scale, prominent location, and relationship to neighbouring properties and the associated adverse impact upon the residential and visual amenities of the locality. This application has been revised to address these concerns.

2. Policies**2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft):**

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
DR1	-	Design
DR2	-	Land use and activity
H1	-	Hereford and the market towns: settlement boundaries and established residential areas
H15	-	Density
H16	-	Car parking

3. Planning History

- 3.1 DCCE2001/1670/F - Demolition of existing dwelling and redevelopment of site to provide two dwellings. Approved 28th January, 2002.
- 3.2 DCCE2006/1670/F - Erection of five flats with parking under. Refused 14th July, 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.
- 4.3 Environmental Health Manager: No objection.

5. Representations

- 5.1 Hereford City Council: Recommends that '...the application be refused as it is over intensive development of the site, that there is no on street parking available and there is inadequate access to the site for vehicles'.
- 5.2 Local Residents: Four letters of objection have been received from the following sources:
- Mrs C.S. Skillen, 64 Southbank Road, Hereford
 - P. & D. Griffiths, Green Gables, Sutton St Nicholas
 - Mrs D. Griffiths, Scorpio, 40 Folly Lane, Hereford
 - Occupier, Manor Brow, 66 Southbank Road, Hereford

The comments raised can be summarised as follows:

1. Access to the parking will be impeded through the use of the adjacent car park, through which access is required, during the day;
2. The development is over development;
3. The proposal is out of keeping with the character of the locality;
4. Adverse impact upon the visual amenities of the locality;
5. Inadequate parking provision will lead to unacceptable parking in the car park and surrounding roads;
6. The maintenance costs for the car park, paid for neighbouring properties, will be increased due to increased use;
7. Congestion in the already busy car park will be compounded and will spill onto the neighbouring road network, which is already very busy;
8. The previous scheme was refused;
9. A scheme above 40/42 was refused;
10. The scheme is now larger than the scheme which was refused;
11. The original approval is for only a semi-detached pair, this is more than double;
12. Loss of light and overbearing impact;
13. No right of access over the private car park exists.

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

6. Officers Appraisal

6.1 From a planning policy perspective this application seeks permission for a residential development within an established residential area. No objections are therefore raised to the principle of development and in view of the current condition of the site it is generally welcomed. The key issues are considered to be:

- a) Design, Scale and Visual Amenities;
- b) Residential Amenities;
- c) Highway Issues.

Design, Scale and Visual Amenities

6.2 The design of this proposal has been significantly revised since the previous application (DCCE2006/1670/F) having regard to the site constraints. The site is particularly prominent and it relates awkwardly to the neighbouring land uses. The development of this site is therefore highly problematic in design terms.

6.3 The proposed design has attempted to address the concerns associated with the previous application and it is considered, on balance, that this has generally been achieved. The scheme remains significant in scale and occupies the majority of the site, however, the design approach taken has now improved the appearance and reduced the impact of the development. The west facing elevation will only be visible in part but the element projecting forward, which was a key failing in the previous scheme, has now been varied to provide visual interest through the introduction of a glazed stairwell. The south elevation now succeeds in providing a genuine 'face' to the building and will provide a frontage onto Folly Lane. The appearance is a mix of traditional and contemporary, the relationship between which is considered to be effective. The east elevation is more conservative than the south and reflects the adjacent flats.

6.4 Overall, the design remains something of a compromise, being limited by the site size and neighbour constraints. However, the context is informed by the adjacent shop units which of limited merit and it is now considered that the revisions secured have produced a scheme which is acceptable in design and which will not detract from the character and appearance of the locality.

Residential Amenities

6.5 The neighbouring property to the north is a retail unit and the window opening found in the affected elevation serves a toilet. It is therefore considered that residential amenities are not an issue in relation to this property. To the north it is considered that adequate distance exists between the new development and residential properties. The relationship with the adjacent apartment building is of some concern from the perspective of the overbearing impact but having regard to the orientation of these properties it is considered that the impact will be within acceptable limits. No habitable openings are proposed in this elevation and conditions will ensure that this arrangement is protected.

Highway Issues

- 6.6 The proposal does not involve access directly onto the highway, but rather onto an existing car park currently serving the local shopping centre. The proposal involves adequate parking provision when considered against the requirements of the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft), however, the parking arrangement is problematic and would lead to vehicles carrying out difficult manoeuvres and reversing into the adjacent parking area. This is not a desirable situation. However this manoeuvring will not interfere with the Council's highway infrastructure and no highway safety issues are associated with this scheme. It is therefore considered that the parking issues are not of concern such that they could substantiate a reason for refusal.

Conclusion

- 6.7 This proposal has considered the concerns associated with the previous scheme and has achieved a design solution which will not unacceptably compromise the visual amenities of the locality.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 (Time limit for commencement (full permission)).**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2. B01 (Samples of external materials).**

Reason: To ensure that the materials harmonise with the surroundings.

- 3. F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

- 4. F48 (Details of slab levels).**

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

- 5. G01 (Details of boundary treatments).**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

- 6. H13 (Access, turning area and parking).**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 7. W01 (Foul/surface water drainage).**

Reason: To protect the integrity of the public sewerage system.

- 8. **W02 (No surface water to connect to public system).**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 9. **W03 (No drainage run-off to public system).**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Informatives:

- 1. **N01 - Access for all.**
- 2. **N03 - Adjoining property rights.**
- 3. **HN01 - Mud on highway.**
- 4. **HN05 - Works within the highway.**
- 5. **N16 - Welsh Water Informative.**
- 6. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
- 7. **N19 - Avoidance of doubt.**

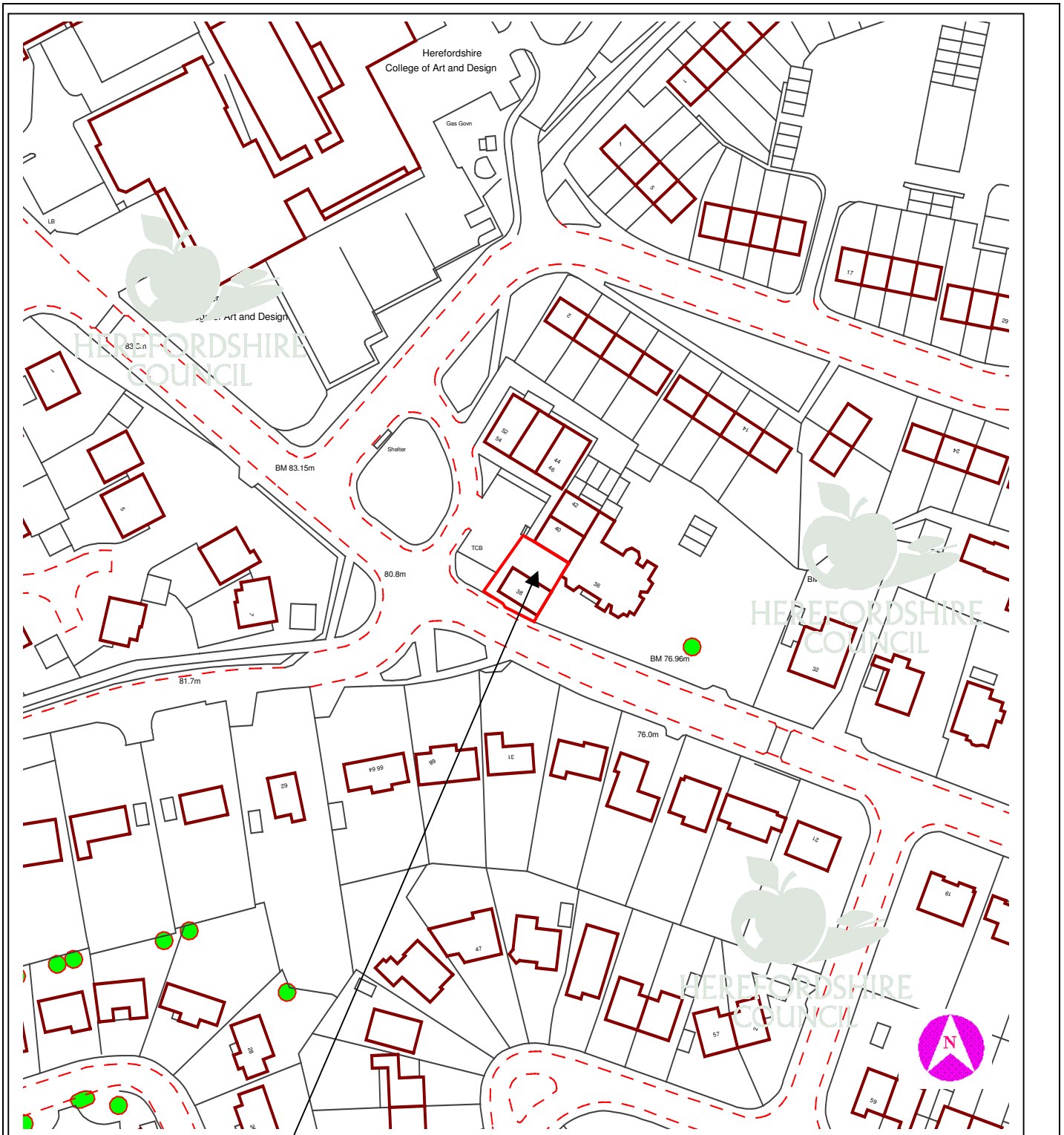
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/0206/F

SCALE : 1 : 1250

SITE ADDRESS : 38 Folly Lane, Hereford, Herefordshire, HR1 1LX

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