

**12 DCCE2007/0313/F - ERECTION OF 3 HOUSES & FORMATION OF PARKING AREA LAND TO THE REAR OF STOKES STORES, HOLME LACY ROAD, HEREFORD****For: Mrs. C. Merret, John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH****Date Received: 30th January, 2007      Ward: St. Martins & Hinton      Grid Ref: 51026, 38453****Expiry Date: 27th March, 2007**

Local Members: Councillors Mrs. W.U. Attfield, A.C.R. Chappell and R. Preece

**1. Site Description and Proposal**

1.1 The site is located to the rear of Stokes Stores which fronts the junction between Holme Lacy Road and Hoarwithy Road. Vehicular access is obtained off Hoarwithy Road leading to a parking area in front of the store with direct access to the site from this parking area. A single storey detached building presently occupies a relatively central position within the site which is used for the storage of stock in connection with the shop. The remainder of the site is undeveloped and is largely overgrown with scrub and weeds. In the south western corner is a semi-mature Beech tree and the boundaries of the site are largely enclosed by an existing 1.5 metre close boarded fence. Private residences and their gardens enclose the site to the north, east and west and to the south lies Putson Baptist Church and associated Church Hall, part of which is also used as a children's nursery. The site lies within an Established Residential Area as identified in the Herefordshire Unitary Development Plan (Revised Deposit Draft).

1.2 Planning permission is sought for the construction of a terrace of 3 one bedroom properties comprising a kitchen, living room and toilet at ground floor with a single bedroom and bathroom at first floor largely contained within the roof space. Each property will have a small area of private garden along with a total of four parking spaces with the appropriate vehicle turning area.

**2. Policies**

2.1 National Planning Guidance:

PPS3                    -            Housing

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
H13	-	Sustainable residential design

- H14 - Re-using previously developed land and buildings
- H16 - Car parking

### **3. Planning History**

- 3.1 CE2006/1460/F - Erection of three houses and formation of parking area. Planning permission refused 12th July, 2006. Reason for refusal are as follows:

'The proposal would result in a cramped form of backland development creating an unacceptable environment for the occupants of the proposed properties; the loss of garden for existing dwellings and an adverse impact on the amenity of surrounding properties. As such the development is contrary to Policies ENV14, H3, H12, H13, H14 of the Hereford Local Plan and Policies S2, DR1, DR2 and H13 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).'

### **4. Consultation Summary**

#### Internal Council Advice

- 4.1 Traffic Manager: No objection subject to conditions.

### **5. Representations**

- 5.1 Hereford City Council: Comments awaited.

- 5.2 Three letters of objection have been received, the main points raised are:

1. The proposed development would be nearer to our land than the previously approved scheme resulting in overlooking and blocking of sunlight to our lounge window.
2. The applicant does not live on site and there would therefore be no impact on their amenity.
3. The outlook from our lounge window would be onto a blank wall.
4. We are concerned that the currently vacant house next door to Stokes Stores will be used for the storage of stock with consequent additional impact upon amenity
5. A 1.8 metre wide footpath should be provided into the site
6. The development will result in the loss of the only storage facility for the shop
7. The development will lead to increased traffic in an already congested area
8. The proposed parking area will impact upon our amenity as a result of noise and fumes from general vehicle movements.

- 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 and any further comments will be verbally updated and the recommendation recognises that the consultation period had not expired at the time of writing.

### **6. Officers Appraisal**

- 6.1 The proposed development has been revised following the refusal of a similar proposal in July last year. The site is large enough to accommodate a development of the size proposed with the necessary private garden and vehicle parking area. The existing vehicular access can be used to serve the site which the Traffic Manager confirms is of

a satisfactory standard. The principle issues are therefore considered to be the impact of the development on the character and amenity of the area.

- 6.2 The site is clearly a backland form of development, however the Development Plan and guidance contained within Planning Policy Statement 3 do not preclude such forms of development in an urban environment. The footprint, mass and height of development have been reduced from the scheme previously refused in order to minimise the overall impact within the locality. The design has also been revised to ensure there are no first floor windows or roof lights overlooking the immediate neighbours or their gardens to the north and west where the potential for the greatest impact on their amenity exists. Notwithstanding the submitted plans, a condition can also be imposed requiring a new 1.8 metre close boarded fence to be erected around the boundary of the site which will ensure there is no loss of privacy from ground floor. Elsewhere, first floor windows are either serving bathrooms which will be obscure glazed or a satisfactory distance exists to prevent any unacceptable loss of privacy through overlooking. There will be no unacceptable loss of daylight or sunlight for properties to the west and south. Whilst it is acknowledged that there will be an additional impact on the property immediately to the north, the design and siting of the development is such that this impact is considered acceptable. The revised siting of the development also now ensures that the existing semi-mature Beech tree can be retained.
- 6.3 Concerns also existed previously with the potential conflict between the occupation of the new residential properties and the operation of the adjacent shop known as Stokes Stores. This issue has been addressed through ensuring that there is no commercial access to the rear of the site for deliveries, collections or storage of stock. However, the loss of the existing building where stock is stored is a concern as is the proposed delivery process if the development is permitted and further information has been requested on this matter. Four parking spaces have been proposed to serve three residential units, which are considered satisfactory and other matters such as waste storage and facilities for cycle storage can be required by condition.
- 6.4 The proposed development will undoubtedly change the character of the immediate area. On balance, however, it is considered that the impact on the area will not be significant given the enclosed nature of the site and more importantly, the impact on the amenity of properties and premises surrounding the site will be satisfactorily safeguarded with the design of the scheme and through the use of appropriate conditions. The development is therefore considered acceptable in accordance with the relevant Unitary Development Plan policies.

## RECOMMENDATION

**Subject to no further objections raising additional material planning considerations by the end of the consultation period and receipt of satisfactory additional information and plans requested in the letter dated 16<sup>th</sup> February 2007, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers.**

- 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. E05 (Restriction on hours of use (industrial)).**

**Reason: In order to protect the amenity of occupiers of nearby properties.**

**4. E16 (Removal of permitted development rights).**

**Reason: The local planning authority wish to maintain control over future development at the site in order to safeguard the character and amenities of the locality**

**5. E18 (No new windows in specified elevation).**

**Reason: In order to protect the residential amenity of adjacent properties.**

**6. E19 (Obscure glazing to windows).**

**Reason: In order to protect the residential amenity of adjacent properties.**

**7. 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.**

**8. G01 (Details of boundary treatments).**

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

**9. G10 (Retention of trees).**

**Reason: In order to preserve the character and amenities of the area.**

**10. G18 (Protection of trees).**

**Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.**

**11. HO4 (Visibility over frontage).**

**Reason: In the interests of highway safety.**

**12. 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.**

**13. H29 (Secure cycle parking provision).**

**Reason:** To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

**14. F39 (Scheme of refuse storage).**

**Reason:** In the interests of amenity.

**15. Prior to the commencement of the development hereby permitted a methodology for handling deliveries to the retail outlet known as Stokes Stores including the location for the storage of stock shall be submitted to and approved in writing by the local planning authority. The scheme shall restrict access to the application site by commercial vehicles and be carried out in accordance with the approved details.**

**Reason:** In the interests of residential amenity and highway and pedestrian safety.

**Informatives:**

- 1. HN05 - Works within the highway.**
- 2. HN10 - No drainage to discharge to highway.**
- 3. HN01 - Mud on highway.**
- 4. N15 - Reason(s) for the Grant of PP/LBC/CAC.**
- 5. N19 - Avoidance of doubt.**

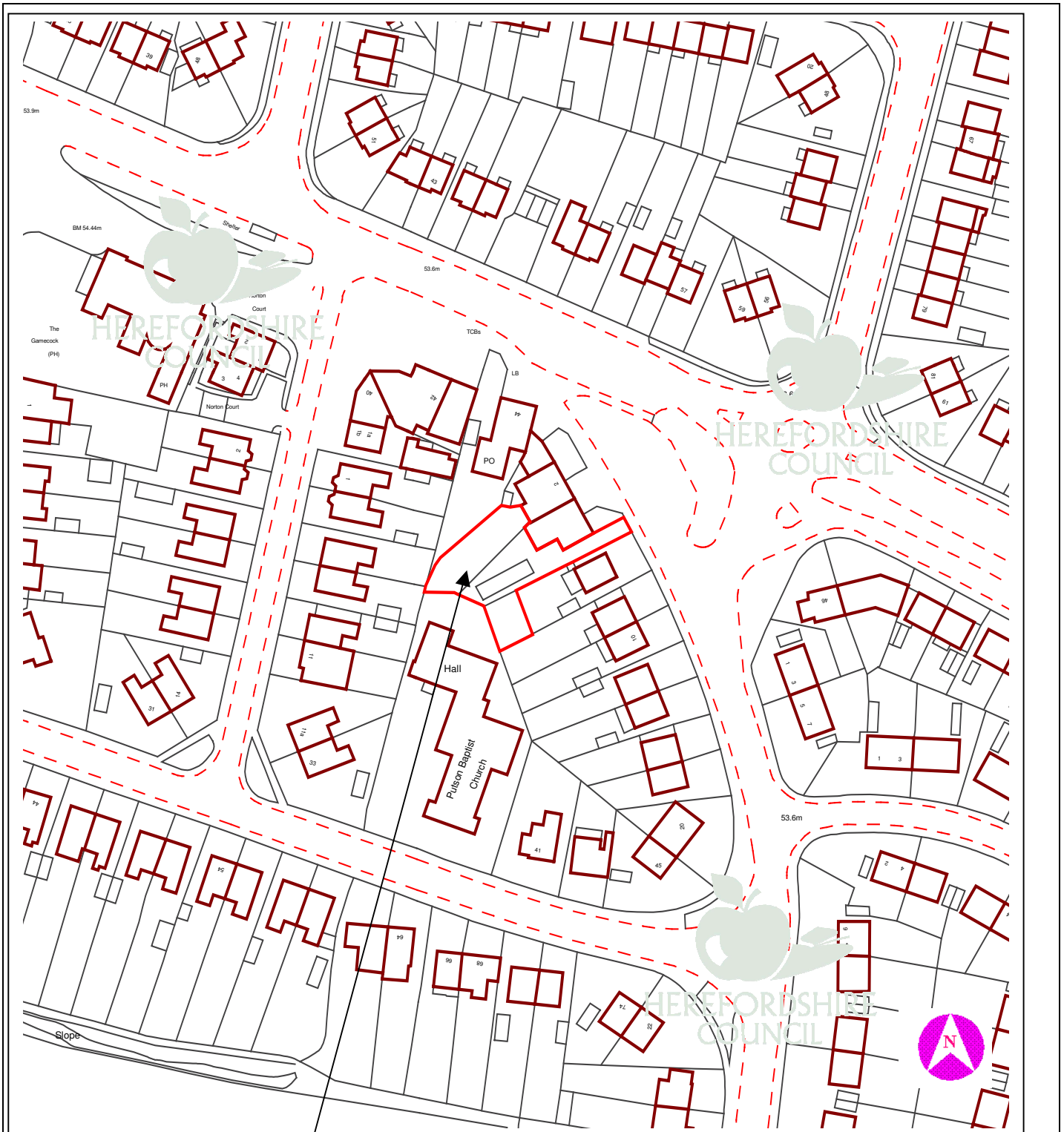
Decision: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2007/0313/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land to the rear of Stokes Stores, Holme Lacy Road, Hereford

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