

11 DCCE2007/0337/F - AMENDMENT TO PLANNING PERMISSION DCCE2004/2293/F (CONVERSION OF EXISTING BUILDING TO FOUR SELF CONTAINED FLATS) WITH NEW HOUSING TO THE REAR TO FORM A FURTHER FIVE RESIDENTIAL DWELLINGS AT 115 - 117 ST. OWEN STREET, HEREFORD, HEREFORDSHIRE, HR1 2JW

**For: ABP Development Ltd. per RRA Architects,
Packers House, 25 West Street, Hereford, HR4 OBX**

Date Received: 2nd February, 2007 Ward: Central Grid Ref: 51551, 39693

Expiry Date: 30th March, 2007

Local Member: Councillor D.J. Fleet

1. Site Description and Proposal

- 1.1 This application seeks planning permission for the conversion of the existing building on site into four residential units, as well as the erection of five new dwellings to the rear.
- 1.2 The existing property is a three storey (plus basement) semi-detached town house forming a dwelling and a retail unit with accommodation above. An existing access into the site exists over which more accommodation is found. The site falls within an Area of Archaeological Importance and, whilst outside of the Central Conservation Area, it is in close proximity to it and the existing property is in an important and prominent location on a main route into the City.
- 1.3 The conversion of the existing building on site has, previously been approved by virtue of application DCCE2004/2293/F. This previous application retained the existing retail premise and subdivided the residential unit into four units. The current application now seeks to subdivide the entire property into four two bedroom units. To the rear of this property a contemporary three storey development comprising 5 units is proposed. The existing entrance into the site is intended to be retained and used to allow vehicle and pedestrian access to the rear of the site. The design concept includes an overhanging first and second floor to allow parking and amenity areas at ground floor level.

2. Policies

2.1 National Policy Guidance:

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG15 - Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan 2007:

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|--------------|---|--|
| Policy S1 | - | Sustainable Development |
| Policy S2 | - | Development Requirements |
| Policy S3 | - | Housing |
| Policy S6 | - | Transport |
| Policy S7 | - | Natural and Historic Heritage |
| Policy DR1 | - | Design |
| Policy DR2 | - | Land Use and Activity |
| Policy DR3 | - | Movement |
| Policy H1 | - | Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas |
| Policy H13 | - | Sustainable Residential Design |
| Policy H14 | - | Re-using Previously Developed Land and Buildings |
| Policy H15 | - | Density |
| Policy H16 | - | Car Parking |
| Policy H17 | - | Sub-division of existing Housing |
| Policy E5 | - | Safeguarding Employment Land and Buildings |
| Policy T11 | - | Parking Provision |
| Policy ARCH7 | - | Hereford AAI |

3. Planning History

- 3.1 HC930453PF Change of use of ground floor from residential use to retail. Approved 29th December, 1993.
- 3.2 DCCE2004/2293/F Conversion of building to 4 self-contained flats. Approved 14th October, 2004.
- 3.3 DCCE2006/2265/F Demolition of existing building. Proposed multi-occupancy development comprising 14 apartments and 1 retail unit. Withdrawn 11th September, 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objections subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection but commented that the narrowness of the access point is of some concern and the aisle width is below the 6 metre standard. Turning of vehicles will also be difficult within the site. That said, traffic generation is assessed to be similar to that currently possible through the existing on site uses and the access. Conditions and Informatives required, including confirmation of the requirement to make changes to the on-street parking provision.
- 4.3 Conservation Manager: No objection subject to conditions and informatives relating to conservation, landscape and ecology matters.
- 4.4 Forward Planning Manager: No response received.

5. Representations

- 5.1 Hereford City Council: Objection on grounds that there are inadequate access provisions for public service and emergency vehicles and the scheme represents an over development of the site.
- 5.2 Local Residents: Two letters of objection have been received from the following sources:
- C. Griffiths, 18 Turner Street, Hereford.
 - Mr. and Mrs. Smith, 20 Turner Street, Hereford.

The comments raised can be summarised as follows:

- The height is excessive.
- The properties will result in overlooking resulting in a loss of privacy.
- Noise and disturbance caused by occupation of the units.
- Unacceptable increase in traffic levels.
- Increased pressure on existing inadequate on-street parking.
- A more modest scheme of 2/3 bungalows would be more appropriate.

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

6. Officers Appraisal

- 6.1 It is considered that the following points represent the salient issues for consideration in this application:
- Principle of Development
 - Design, Scale and Visual Amenities
 - Residential Amenities
 - Highway Issues

Principle of Development

- 6.2 The application site is inside the settlement boundary of Hereford and the proposal falls within a locality identified as an Established Residential Area. Having regard to the position of this site within a residential area of Hereford, the redevelopment of this site into residential use is considered acceptable in principle.
- 6.3 The site is regarded as a windfall site, that is to say it is not specifically allocated for development within the Herefordshire Unitary Development Plan 2007. The Herefordshire Unitary Development Plan identifies that 40% of all housing anticipated to be built between 2006 and 2011 in Hereford would result from windfall sites such as this. Therefore, based on these figures the need for this additional housing is justified.

Design, Scale and Visual Amenities

- 6.4 The previous development proposal on this site (DCCE2006/2265/F) involved the demolition of the existing building and replacement with a major residential development providing 14 units of accommodation. This scheme was of significant concern due to the scale of the proposal, the suggested design concept in the context

of the prominence of the location, and the loss of the existing building. The current application retains the existing building and has significantly reduced the scale of the proposed development. Although the existing building on site is not a Listed Building, it is of local importance and occupies an important location on the approach to the site. The retention of this building is therefore welcomed and, having regard to the extant permission for the conversion of this building, the subdividing of this structure into four units is not considered problematic.

- 6.5 Turning to the new build element to the rear, this is a bold and striking contemporary scheme which utilised modern design and construction techniques to achieve a high quality solution in a very restricted site. Limited visibility of the scheme will be possible from St. Owen Street, ensuring that the existing character is retained along the street scene. To the rear, and from within the site, the scheme is well thought out; allowing the development to make a visual statement without compromising the wider visual amenities of the locality. The scale is not considered excessive in this central location, particularly having regard to the proximity of larger buildings such as the fire station.

Residential Amenities

- 6.6 The contemporary design solution enables the use of innovative arrangements to ensure that the amenities of the occupiers of the dwellings, and neighbouring properties are protected. Within the site obscure glazing and single direction window orientation will ensure both privacy and light. In relation to neighbouring properties, at first floor level windows face the side but the existing outbuilding running to the rear of the neighbouring property ensure that privacy is maintained. At second floor level only the deeply recessed 'bedroom 2' windows will look out towards neighbouring properties and the distances involved and restricted views possible will ensure privacy is maintained at acceptable levels. It is considered that overbearing impact will be within acceptable limits in the context of the locality.

Highway Issues

- 6.7 The use of the existing access point is necessary and appropriate having regard to the importance of retaining the existing property at the front of the site. This access is somewhat limited and is below standards but this is not a matter that can be overcome. The Traffic Manager has outlined the concerns but has not raised an objection and acknowledges the extant access rights and use of this site. The number of parking spaces is considered acceptable and cycle parking is included in the development.

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. C04 (Details of window sections, eaves, verges and barge boards).**

Reason: To safeguard the character and appearance of the locality.

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

Reason: In the interests of preserving the visual and residential amenities of the locality.

- 5. E17 (No windows in side elevation of extension).**

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

Reason: To protect the amenity of local residents.

- 8. F39 (Scheme of refuse storage).**

Reason: In the interests of amenity.

- 9. 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.

- 10. H04 (Visibility over frontage).**

Reason: In the interests of highway safety.

- 11. 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.

- 12. H21 (Wheel washing).**

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

- 13. H27 (Parking for site operatives).**

Reason: To prevent indiscriminate parking in the interests of highway safety.

- 14. 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.

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

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

- 16. **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.

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

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

- 18. **The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public SEwer Record. Under the Water Industry Act 190901 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.**

Reason: To protect the integrity of the public sewer and avoid damage thereto.

Informatives:

- 1. **The applicants/agents attention is drawn to the requirement to undertake alterations to the on-street parking provision in the vicinity of the access to the application site. No works on site should commence until the required revisions have been approved with the Highway Authority.**
- 2. **ND01 - Scheduled Monument Consent.**
- 3. **HN01 - Mud on highway.**
- 4. **HN05 - Works within the highway.**
- 5. **HN07 - Section 278 Agreement.**
- 6. **N16 - Welsh Water Informative.**
- 7. **N19 - Avoidance of doubt.**
- 8. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

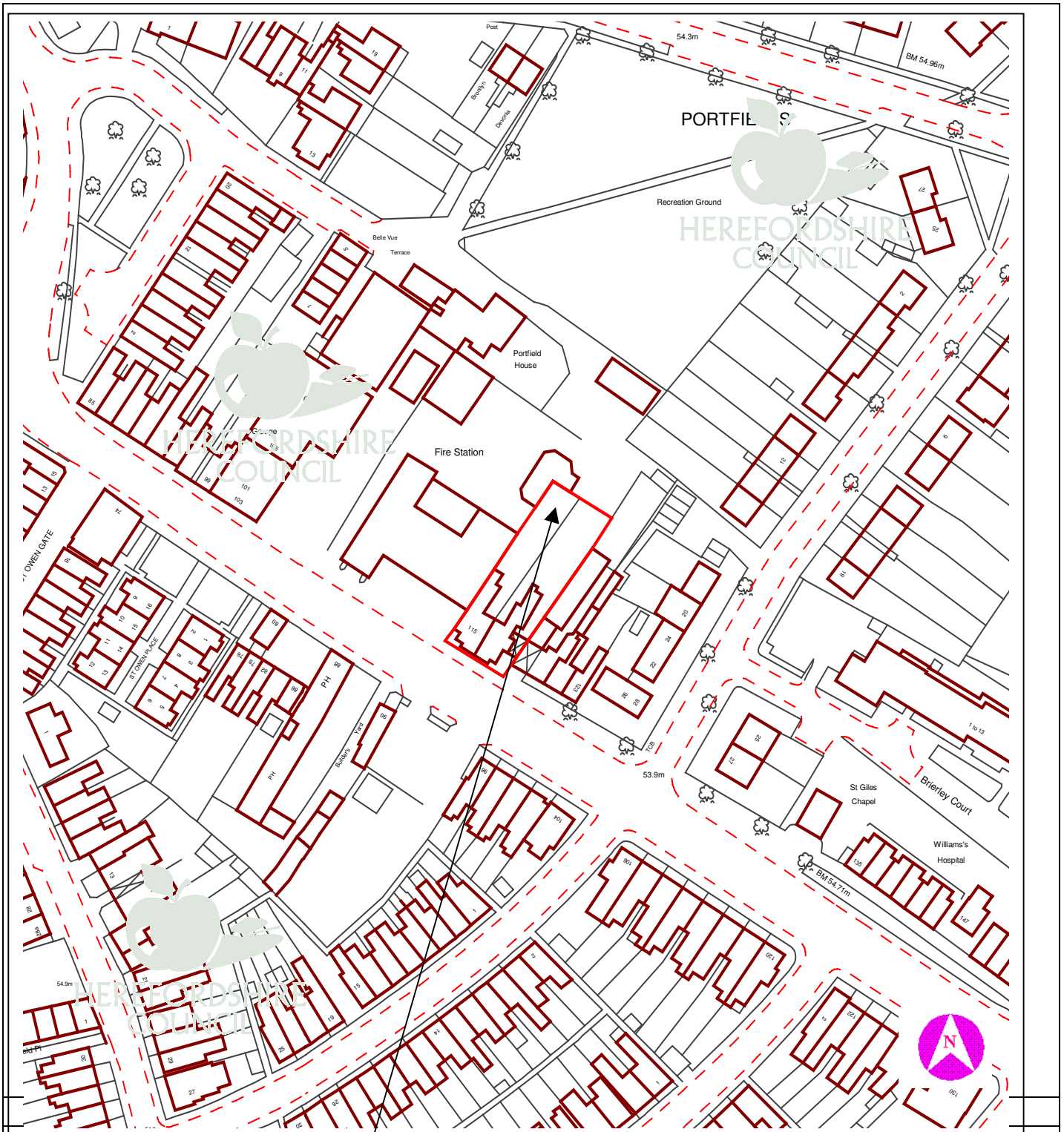
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



APPLICATION NO: DCCE2007/0337/F

SCALE: 1 : 1250

SITE ADDRESS : 115 - 117 St. Owen Street, Hereford, Herefordshire, HR1 2JW

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