

14 DCCE2007/2558/O - ERECTION OF TWO NEW BUNGALOWS AT REAR OF 97 OLD EIGN HILL, HEREFORD, HEREFORDSHIRE, HR1 1UA**For: Mr. B.R. Hemming, 97 Old Eign Hill, Hereford, HR1 1UA****Date Received: 10th August, 2007 Ward: Tupsley Grid Ref: 52909, 39524****Expiry Date: 5th October, 2007**

Local Members: Councillors MD Lloyd-Hayes, AP Taylor and WJ Walling

1. Site Description and Proposal

- 1.1 The site is found to the rear of No.97 Old Eign Hill, part of a terrace of commercial premises at ground floor with flats over. The proposal is to erect what are described as 2 single bedroom semi-detached bungalows at the northeastern corner of the site with associated parking against the eastern boundary. The application is made in outline with all matters reserved and follows the withdrawal of an application for 3 dwellings (ref: DCCE2007/1695/O).
- 1.2 The applicant owns the site in its entirety and public access is restricted with the exception of the right of access to the rear of the premises for deliveries enjoyed by the Post Office and General Stores. Existing buildings on site comprise a range of tin clad garages located against the northern boundary, a Victorian stable building (not part of the development) and a part brick/tin store against the common boundary with No. 136 Hampton Dene Road. This would require demolition to allow for the parking as proposed.
- 1.3 The surrounding area is defined as an established residential area and the site is bound to the north and west by private gardens.
- 1.4 The previous application for 3 dwellings was withdrawn upon officer advice. This was on the basis that the scheme did not make any provision for private amenity space for prospective inhabitants and could not be amended to take account of this concern without compromising privacy distances. The reduced number reduces the footprint of the building and thus affords amenity space to the side and to a limited extent the rear of each dwelling.
- 1.5 The application is made in outline form and the precise detail in terms of the scale, layout, appearance and landscaping is as yet undetermined. Applicants are, however, required to give an indication of the scale and amount of development. In this context, this equates to a building measuring 6m x 14m in plan form. The illustrative plans show the building to measure 5.4m in height to the ridge with provision made for single forward facing dormers in the roof.

2. Policies

- 2.1 Planning Policy Guidance:

- PPS3 - Housing
PPG13 - Transport

2.2 Herefordshire Unitary Development Plan 2007:

- S1 - Sustainable development
S2 - Development requirements
DR2 - Land use and activity
DR3 - Movement
H1 - Hereford and the market towns: settlement boundaries and established residential areas
H13 - Sustainable residential development
H16 - Car parking

3. Planning History

- 3.1 DCCE2007/1695/O - Erection of 3 new bungalows at the rear of 97 Old Eign Hill, Hereford. Withdrawn 25th July, 2007.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions requiring the separate discharge of foul and surface water drainage from the site and that run-off shall not discharge into the public sewerage system.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions relating to the construction and drainage of the parking area and the formation of a 2m x 2m visibility splay to the right upon egress from the site. At present there is a conifer hedge, in the control of the applicant, which overhangs the pavement and obstructs views in this direction.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Two letters of objection have been received from local residents at Nos. 130 and 142 Hampton Dene Road. The letters can be summarised as follows:
- Concern at the potential introduction, at a later date, of elevated rearward facing windows and resultant loss of privacy to habitable rooms, including a master bedroom;
 - Concern that the erection of bungalows at this point will result in deliveries to the Post Office occurring at the front of the property, adding to the existing traffic problems in the area.

- 5.3 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 The key issues in the determination of this application are as follows:

- The principle of development at this location;
- The impact of development upon the amenity of adjoining dwellings;
- Highways issues. Including parking provision, visibility splays and maintenance of deliveries to the rear of the Post Office and Stores.

6.2 The locality is defined as an established residential area and although “backland” in that the bungalows would not be street fronting, the site should also be recognised as previously developed (brownfield) land in a sustainable location. Government Guidance promotes the efficient use of vacant or derelict previously developed sites within the built up area, to assist in meeting nationally prescribed targets for re-use of such land. It is therefore considered that the principle of such proposals is acceptable, although material planning considerations will dictate in some circumstances that certain sites are not suitable.

6.3 The current application is made following the withdrawal of application DCCE2007/1695/O, which sought permission for the erection of a terrace of 3 bungalows upon the site. This was withdrawn upon advice from officers owing to the complete lack of usable private amenity space associated with the development. Subsequently the number of properties has been reduced to 2 and the resultant available land has been identified as garden space for each dwelling. Despite the fact that one-bedroom properties are proposed, the site offers the scope for the inclusion of private, usable gardens - considered beneficial where practicable.

6.4 The site is surrounded primarily by residential development and careful consideration needs to be given to the impact of development upon neighbouring properties. The location of the development is such that adequate window-to-window distances would be maintained from both front and rear windows. In response to the concern of one of the neighbours a condition could be imposed to prevent the future introduction of rearward facing roof lights or dormer windows. The introduction of appropriate boundary treatments would maintain the privacy of respective curtilages. The development is considered to maintain the existing levels of residential amenity.

6.5 The scheme makes provision for parking associated with the dwellings within the site itself. In this respect, no intensification of current on-street parking levels could be directly attributable to the development proposed. The Traffic Manager has recommended a condition on visibility splays that will require the trimming and maintenance of a hedgerow that currently overhangs the pavement. The hedgerow is under the control of the applicant and any condition would thus be enforceable.

6.6 One correspondent has expressed concern that the development would result in the delivery of goods to the front rather than the rear of the Post Office and General Stores. This concern is understandable, however access to the rear of the premises would be maintained for delivery purposes. A condition could be attached to ensure that this is followed through.

6.7 In the resubmitted format the application is considered to represent a sustainable and proportionate approach to development of this previously developed land, which makes provision for two modest dwellings, off-street parking and private garden space. The application is thus recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A02 (Time limit for submission of reserved matters (outline permission)).**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
2. **A03 (Time limit for commencement (outline permission)).**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
3. **A04 (Approval of reserved matters).**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
4. **A05 (Plans and particulars of reserved matters).**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
5. **B01 (Samples of external materials).**
Reason: To ensure that the materials harmonise with the surroundings.
6. **E16 (Removal of permitted development rights).**
Reason: In order to preserve levels of residential amenity and control the external appearance of the development.
7. **E18 (No new windows in specified elevation).**
Reason: In order to protect the residential amenity of adjacent properties.
8. **F16 (Restriction of hours during construction).**
Reason: To protect the amenity of local residents.
9. **F18 (Scheme of foul drainage disposal).**
Reason: In order to ensure that satisfactory drainage arrangements are provided.
10. **F39 (Scheme of refuse storage).**
Reason: In the interests of amenity.
11. **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.

12. H03 (Visibility splays).

Reason: In the interests of highway safety.

13. 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.

14. G01 (Details of boundary treatments).

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

Informatives:

- 1. N15 - Reason(s) for the Grant of PP/LBC/CAC.**
- 2. N19 - Avoidance of doubt.**

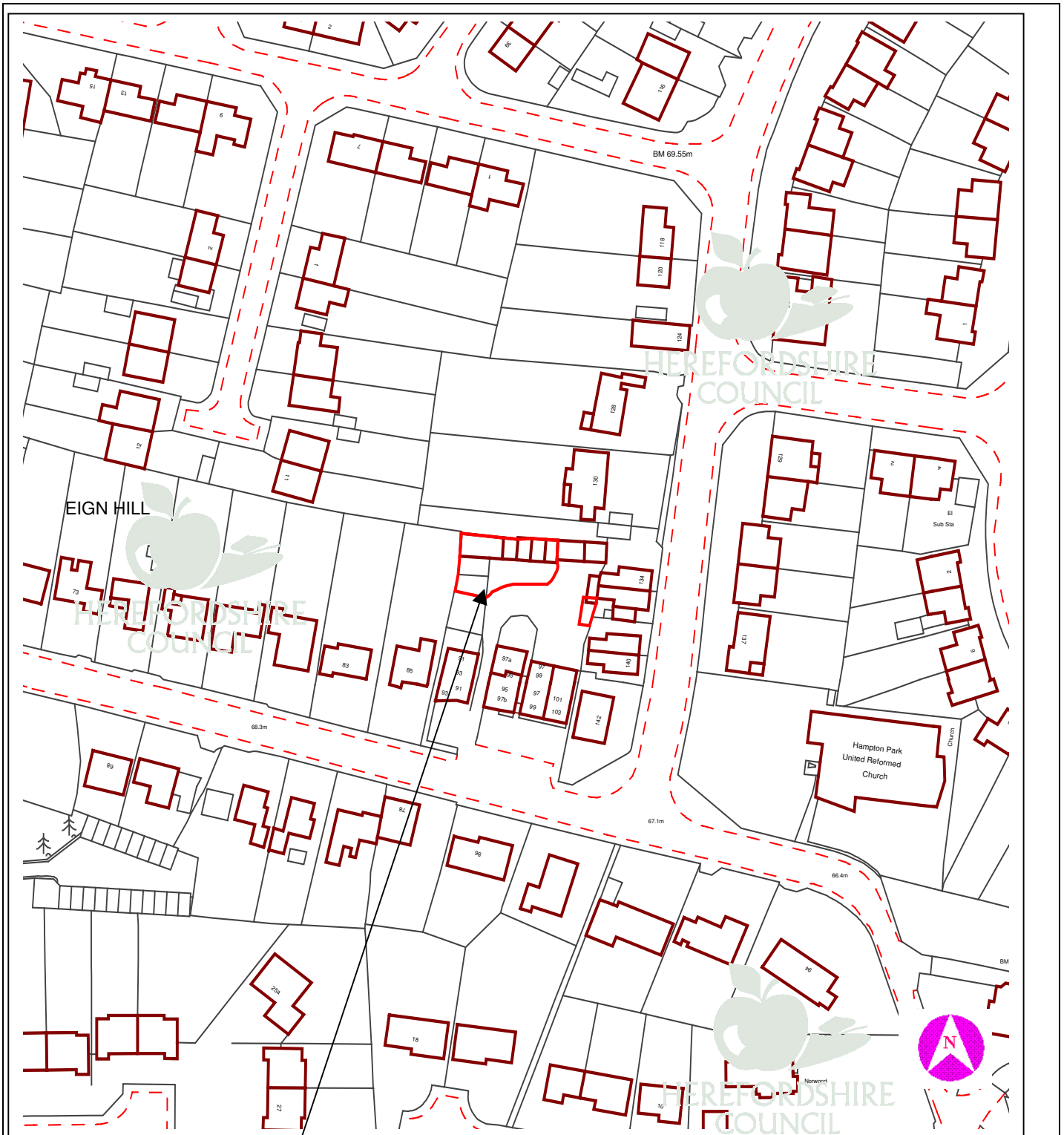
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/2558/O

SCALE : 1 : 1250

SITE ADDRESS : Rear of 97 Old Eign Hill, Hereford, Herefordshire, HR1 1UA

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