

9 DCNE2007/3176/O - DEMOLITION OF EXISTING HOUSE AND OUT BUILDINGS AND SITE FOR FOUR DWELLINGS AND TWO GARAGES AT BANKSIDE, LITTLE MARCLE ROAD, LEDBURY, HEREFORDSHIRE, HR8 2DR

**For: Mrs J Turner per Stainburn Taylor Architects,
Sear House, Bye Street, Ledbury, Herefordshire,
HR8 2AA**

**Date Received:
12th October 2007**

Ward: Ledbury

**Grid Ref:
70434, 37189**

**Expiry Date:
7th December 2007**

Local Members: Councillor ME Cooper, Councillor PJ Watts & Councillor JK Swinburne

1. Site Description and Proposal

- 1.1 The site is located within the settlement boundary of Ledbury, accessed via a cul-de-sac, which also serves a garage block connected to a residential development, from Little Marcle Road.
- 1.2 The general area is predominantly residential in character, with a mix of residential estates/ developments, and individual houses and groups. An established industrial estate, which enjoys policy protection is located in close proximity to the application site, and abuts it on the western edge.
- 1.3 A substantial brick built dwelling currently occupies the site, along with associated brick built outbuildings and garden curtilage area, which includes part of a railway embankment from the now defunct railway line.
- 1.4 The proposal is for the demolition of the existing dwelling, and outline approval for a development of 4 dwellings, associated curtilage, parking and access space.

2. Policies

S2 - Development requirements

S3 - Housing

DR1 - Design

DR2 - Land use and activity

DR3 - Movement

DR4 - Environment

DR10 - Contaminated land

H1 - Hereford and the arket towns: settlement boundaries and established residential areas

H13 - Sustainable residential design

H14 - Re-using previously developed land and buildings

H15 - Density

H16 - Car parking
T8 - Road hierarchy

3. Planning History

DCNE2007/2140/O – Demolition of existing dwelling and construction of 4 new dwellings and 2 garages – Withdrawn 25.07.07

4. Consultation Summary

Internal Council Advice

4.1 The Council's Highways department had a number of issues, however these have been addressed by amended plans (received 2nd November 2007). Suitable parking, turning and cycle storage provision can be accommodated within the site area and scheme.

4.2 The Council's Environmental Health Officer was contacted for advice and guidance regarding when to request a contaminated land appraisal.

This advice was followed and the applicant has submitted a preliminary risk assessment report as part of the application. This confirms no obvious land pollutant risk, however development of the site should, as per the advice of the Environmental Health Officer include continued monitoring for contaminants. Conditions to ensure this have been included in my recommendation.

5. Representations

5.1 The Parish Council object to the proposal on the following grounds: -

- Over development of the site
- Proposed dwellings are in close proximity to the industrial estate
- Loss of open space would have a detrimental effect on the amenity of the area
- Issues concerning car parking would be exacerbated
- Possibility of land pollution, given the proximity of the disused railway line
- Localised flooding issues would be exacerbated

5.2 The Campaign to Protect Rural England (CPRE) objects to the proposal, citing the same reasons as per application NE2007/2140/O, however their primary concerns regarding the previous application centred on the visual impact and the obtrusiveness of a 3-storey scheme. The proposal's indicative design features a 2-storey scheme.

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

6. Officer's Appraisal

6.1 In broadest policy terms, the proposal to redevelop the site at an increased residential density, making a more efficient use of brownfield land within the settlement boundary, is in accordance with Local Plan Policy S1 and National Policy Guidance contained in Planning Policy Statement (PPS)3: Housing.

The Town Council makes reference that the proposal is contrary to Para. 58 of the now cancelled (and replaced) PPG3, which is concerned within avoiding inefficient use of

land and encourages increased density of residential development in places with good public transport accessibility. On all counts the proposal accords with this advice.

Accordingly, the application needs to be assessed against site-specific issues: -

Amenity

- 6.2 Despite the increased density of the site, given the residential nature of the area, the amenity of existing dwellings is not considered to be compromised or unduly harmed by the proposal, either in principle, or in regards to the indicative layout and building designs.

Turning to the amenity of the prospective occupiers of the proposal, concern was expressed about potential impacts on their amenity from the industrial estate. Given this industrial estate is well established, and in order to ensure its commercial viability and vitality, to both existing and potential future users, this issue is considered paramount. To safeguard both land uses and requirements, and protect residential amenity, the embankment has been retained within the proposal site to act as a buffer zone between the uses. This has been secured following negotiations with the applicant and it is intended to ensure this safeguarding with a condition (as recommended). A full landscaping scheme is required as per the attached condition, of which the buffer zone can be integrated within. Accordingly, policies DR1, DR2 and H13 are satisfied.

Access and Parking

- 6.3 The proposal utilises the existing access/ egress into/ out of the site. This is accessed via the cul de sac, which serves a block of 10 garages (and associated housing accessed by foot). The Council's Highways department makes no objection to this arrangement, or the increased use of the cul de sac, which in turn accesses onto Little Marcle Road.

Turning to parking and turning areas, the original concerns of Highways are taken on board and a revised proposal (2nd November 2007) submitted. It is clear that the required number of parking spaces commensurate with the development, and policy H16, can be achieved within the site. Given full landscaping details are being saved for a Reserved Matters application, it is considered the formal parking arrangements can also be fully detailed at that stage also. In addition, the proposal now indicates that cycle parking provision will be incorporated into the scheme. This can, again, be fully detailed in a RM application. In principle, policies S1, S2, S3, DR2, DR3, H16 and T8 are or can be satisfied.

Contaminated Land

- 6.4 Part of the site contains a railway embankment from the now disused railway. The applicant, as requested, has submitted a preliminary contaminated land study, which at this stage does not reveal any potential pollution issues. However, during the development of the site, monitoring for contaminants is essential, and if any discover is made, a revised risk assessment with appropriate appraisal and remediation work must be implemented. A condition outlining this requirement has been attached.

Drainage

- 6.5 Although not within an identified Environment Agency (EA) flood area, localised flooding from surface water run off is an issue in the vicinity of the application site. Clearly, development and increased densities can exacerbate this situation. The applicant has included a holding tank for surface water within the development, and also notes the increase in roof area, and the decrease in hardstanding within the site, through the proposed indication scheme, so helps to alleviate surface water run off issues. Notwithstanding this, a condition is attached to ensure adequate drainage and surface water arrangements are incorporated into any scheme. Through this, policies S2, DR2, DR7 and H13 can be satisfied.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

[Note: Time limits can be varied - special reason to justify]

- 2 - 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.

[Note: Time limits can be varied - special reason to justify]

- 3 - Prior to the commencement of the hereby approved development, details of foul and surface water drainage will be submitted to the Local Planning Authority for written approval, and thereafter maintained as such.**

Reason: In order to ensure that satisfactory drainage arrangements are provided, in accordance with Herefordshire Unitary Development Plan (adopted 2007) policies S2, DR2, DR7 and H13.

- 4 - Prior to the commencement of the hereby permitted development, full landscape details, including the treatment of the landscape buffer zone, (annotated with a cross hatch on the approved plans), shall be submitted in writing with appropriate scaled plans, to the Local Planning Authority, for written approval. Works shall be carried out in accordance with the approved landscaping plans in the first planting season following the completion of the development or prior to the occupation of the first dwelling, whichever is the sooner, and thereafter maintained as such.**

Reason: To ensure a satisfactory appearance to the development within the streetscene, and safeguard the amenity of future occupiers of the residential development, and safeguard the vitality and viability of the established employment site, in accordance with Herefordshire Unitary Development Plan (adopted 2007) policies S1, S2, DR1, DR2, DR13, H1 and H13.

5 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

6 - Prior to the commencement of the hereby-approved development, full written details and plans at a scale of 1:100, indicating parking provision, turning area, surfacing and drainage details shall be submitted to the Local Planning Authority for written approval and thereafter maintained as such.

Reason: To ensure highway safety, the free flow of traffic, and the safety of pedestrians, in accordance with Herefordshire Unitary Development Plan (adopted 2007) policies S1, S2, S3, S6, DR1, DR2, DR3, H13, H16 and T8.

7 - A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

[Note: Delete reserved matters which are not applicable]

8 - A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

[Note: Delete reserved matters which are not applicable]

[Note: Outline planning permissions will normally require conditions A02, A03, A04 and A05 to be imposed]

9 - Where, during works on site, contamination is encountered which has not previously been identified and assessed in the preliminary risk assessment (received 2nd November 2007), that further contamination shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval. Thereafter, remediation works shall be carried out implemented in accordance with the approved scheme. Excavations should be monitored throughout the development of the site for contamination and pollutants.

Reason: In order to safeguard the users and occupiers of the hereby approved residential development, in accordance with Herefordshire Unitary Development Plan (adopted 2007) policy DR10.

10 - H29 (Secure covered cycle parking provision)

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

Informative(s):

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - N19 - Avoidance of doubt
- 3 - HN01 - Mud on highway
- 4 - HN04 - Private apparatus within highway
- 5 - HN05 - Works within the highway
- 6 - HN10 - No drainage to discharge to highway
- 7 - HN22 - Works adjoining highway

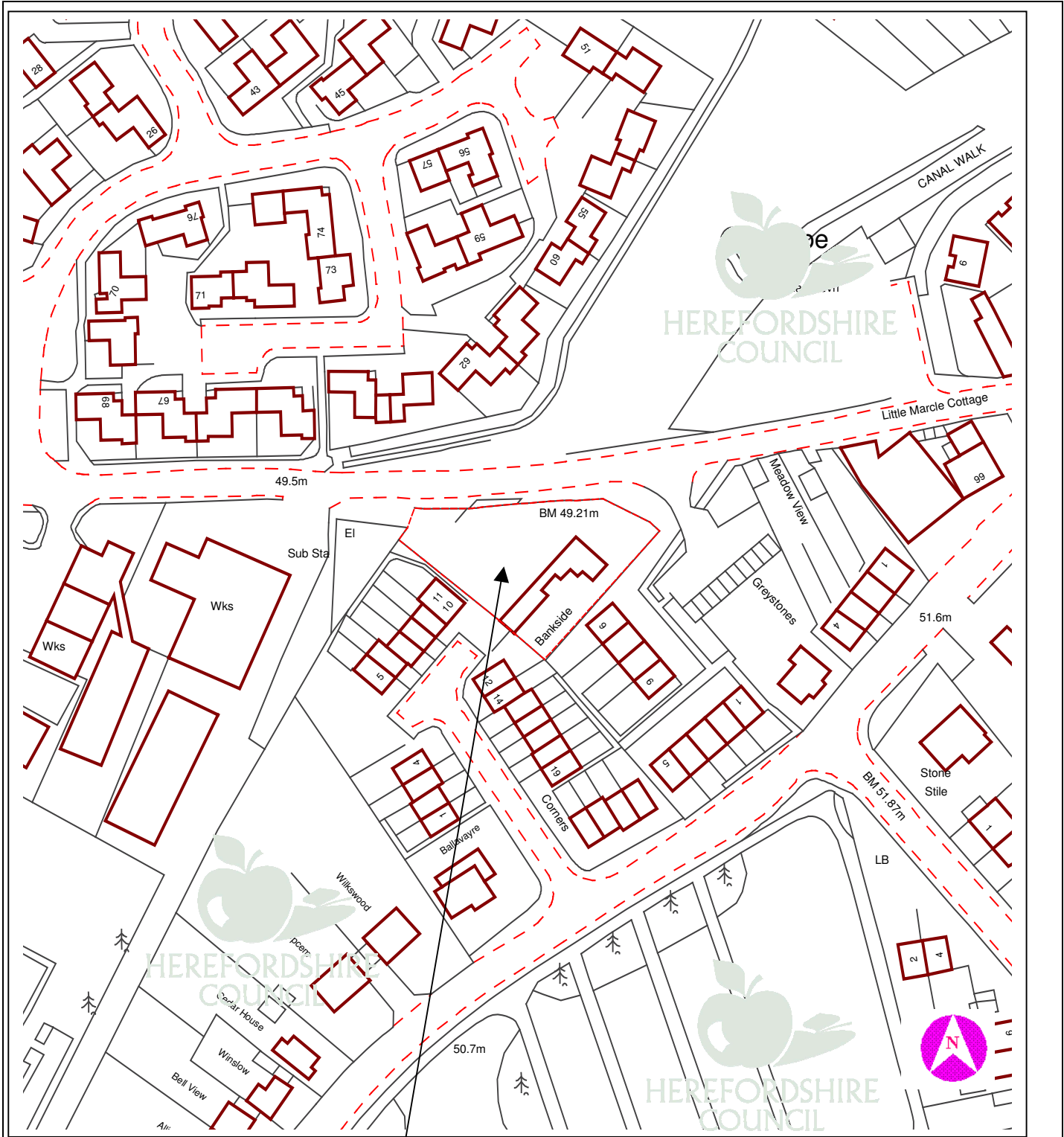
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2007/3176/O

SCALE : 1 : 1250

SITE ADDRESS : Bankside, Little Marcle Road, Ledbury, Herefordshire, HR8 2DR

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