

7 DCCW2008/0610/O - PROPOSED ERECTION OF 4 NO. BUNGALOWS AND 2 NO. HOUSES AT 3 VILLA STREET, HEREFORD, HEREFORDSHIRE, HR2 7AY

For: Mr. D. Goldsmith per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 6 March 2008

Ward: Belmont

Grid Ref: 49958, 39145

Expiry Date: 1 May 2008

Local Members: Councillors H Davies, PJ Edwards and GA Powell

1. Site Description and Proposal

- 1.1 The site is located on the southern side of Villa Street between Nos. 1 and 11. It presently contains a bungalow with substantial rear garden. Terraced houses adjoin either side of the site with detached dwellings opposite. To the west of this site Villa Street is blocked for vehicular access. A pedestrian and cycle route passes the front of the site.
- 1.2 The proposal is to demolish the bungalow and construct four bungalows to the rear and two houses fronting onto Villa Street. Access would be adjacent to No. 1 Villa Street and ten car parking spaces are proposed. The access junction would be built out into Villa Street. The planning application is in outline form with all matters reserved with the exception of the means of access.

2. Policies

2.1 Planning Policy Guidance:

| | | |
|-------|---|------------------------------------|
| PPS1 | - | Delivering Sustainable Development |
| PPS3 | - | Housing |
| PPS25 | - | Development and Flood Risk |

2.2 Herefordshire Unitary Development Plan 2007:

| | | |
|------------|---|--|
| Policy S1 | - | Sustainable Development |
| Policy S3 | - | Housing |
| Policy DR1 | - | Design |
| Policy DR2 | - | Land Use and Activity |
| Policy DR3 | - | Movement |
| Policy DR4 | - | Environment |
| Policy DR7 | - | Flood Risk |
| Policy H1 | - | Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas |
| Policy H14 | - | Re-using Previously Developed Land and Buildings |
| Policy H15 | - | Density |
| Policy H16 | - | Car Parking |
| Policy T11 | - | Parking Provision |

3. Planning History

- 3.1 DCCW2008/2087/O Proposed erection of five bungalows. Withdrawn 11 August 2006.
- 3.2 DCCW2007/0224/O Proposed erection of four bungalows and two houses. Refused 22 May 2007.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: Recommend conditions.
- 4.2 Environment Agency: Recommend that a Flood Risk Assessment is undertaken and considered by the local planning authority.

Internal Council Advice

- 4.3 Traffic Manager: The proposed highway works are deemed acceptable and will be carried out under a Section 278 agreement. In addition conditions are also recommended.
- 4.4 Parks & Countryside & Leisure Manager: Requests funding towards sports provision.
- 4.5 Conservation Manager: Comments awaited.

5. Representations

- 5.1 Hereford City Council: Hereford City Council requests that this planning application be determined strictly in accordance with the approved development plan applicable to the area of the Parish of the City of Hereford. The City Council also makes the following additional representations: that this application should be refused as an over intensive development of this site.
- 5.2 Conservation Area Panel: The layout is illustrative but we consider the density is much greater than the surrounding area and would affect the adjacent conservation area. Recommend refusal in present form.
- 5.3 Six letters of objections and a petition signed by 77 people has been received from L.W. Birch, 6 Villa Street, Hereford x 3; Mr. & Mrs. Bond, 11 Villa Street, Hereford; Miss R. Hamilton, 17 Villa Street, Hereford and Aidan Flynn, 15 Villa Street, Hereford.

The main points raised are:-

1. Pedestrians and cyclists should have priority but the new access serving six dwellings will cause danger and not be in the interest or safety of pedestrians and cyclists.
2. This part of Villa Street is used as a route for pedestrian and cycle access to schools, city centre and cycle network.
3. It is a strategic cycleway.

4. The design of the junction needs to meet all the standards of good practice guidelines.
5. The proposal does not comply with the Manual for Streets regarding visibility.
6. On street parking will occur in an already congested street.
7. The reduction of the road width by building out the access junction will funnel all pedestrians and vehicle traffic into a congestion/conflict zone.
8. Pavements are not usable for disabled persons.
9. Access to existing property would be impeded.
10. The nature of the development will bring increased traffic and would generate extra traffic as home help, nurses etc.
11. Access will be difficult for refuse trucks, fire and ambulance vehicles.
12. The proposal will create an over intensive development.
13. Put strain on existing water services.

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. Officer's Appraisal

- 6.1 The site is located within the residential settlement area of Hunderton as identified in the Herefordshire Unitary Development Plan. In such locations residential development is, in principle, accepted provided criteria such as safe access, impact on neighbours, flooding and character of area are considered.

Access

- 6.2 Although the planning application is in outline form, access has not been reserved and is for consideration with this application. In this respect the plans identify that a single access 4 metres wide will be constructed into the site with parking for ten vehicles together with turning spaces. In addition the applicants have offered the owners of adjoining properties (11, 13 and 15 Villa Street) the opportunity for off road parking with access of the new turning area.
- 6.3 The access onto Villa Street has been thoroughly examined by the Council's Highway Engineers who are satisfied that the 'built out' junction will provide a safe access, meet the appropriate standards for speed of traffic in this locality and not be a danger to pedestrians or cyclists and not hinder access into adjoining property. Accordingly the Traffic Manager raises no objections subject to conditions.

Impact on Neighbours

- 6.4 An indicative layout was submitted with the application although siting has been reserved for subsequent approval. However, it is considered that the indicative layout does identify that a development of four bungalows to the rear and two dwellings to the

front can be sited without detriment to adjoining residents. The conflict of construction traffic and development noise could be mitigated by appropriate conditions.

Flooding

- 6.5 The Environment Agency comments are noted and the agent was informed of the need for a Flood Risk Assessment. Site levels have been taken and compared with a new dwelling recently approved along Villa Street. The result is that the levels of this site are above the previous agreed level set by the Environment Agency and therefore it is considered that concerns over flooding are overcome. For clarity a condition for finish floor levels will be recommended.

Character of the Area

- 6.6 The site lies adjacent to the Hereford City Conservation Area but within the established residential area of Hunderton. A mix of dwellings from detached, semi-detached and terraced are located adjacent with bungalows also in the area.
- 6.7 Accordingly, a scheme involving bungalows and semi-detached dwellings is considered compatible and not to impact detrimentally on the Conservation Area.

Conclusions

- 6.8 The planning application is in outline form with only the principle of development and the means of access for consideration. In this respect the site is located within the established residential area of Hunderton as confirmed by the Herefordshire Unitary Development Plan. Regarding access the Traffic Manager is satisfied that the proposal will provide a safe access.
- 6.9 Finally, the planning application was submitted prior to the adoption of the Planning Obligations SPD hence no contributions provided.

RECOMMENDATION

That outline 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 and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.

- 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. **I16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

6. **I22 (No surface water to public sewer).**

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding so as to comply with Policy DR4 of Herefordshire Unitary Development Plan.

7. **I52 (Finished floor levels (area at risk from flooding)) (55.22m).**

Reason: To protect the development from flooding and to comply with Policy DR7 of Herefordshire Unitary Development Plan.

8. **H06 (Vehicular access construction).**

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

9. **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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

10. **H17 (Junction improvement/off site works).**

Reason: To ensure the safe and free flow of traffic on the highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

11. **H27 (Parking for site operatives).**

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

12. **Foul water and surface water discharges shall be drained separately from the site.**

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

13. **No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the local planning authority.**

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.

- 14. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

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

- 15. 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 1991 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. HN01 - Mud on highway.
- 2. HN07 - Section 278 Agreement.
- 3. N19 - Avoidance of doubt - Approved Plans.
- 4. N15 - Reason(s) for the Grant of PP/LBC/CAC.

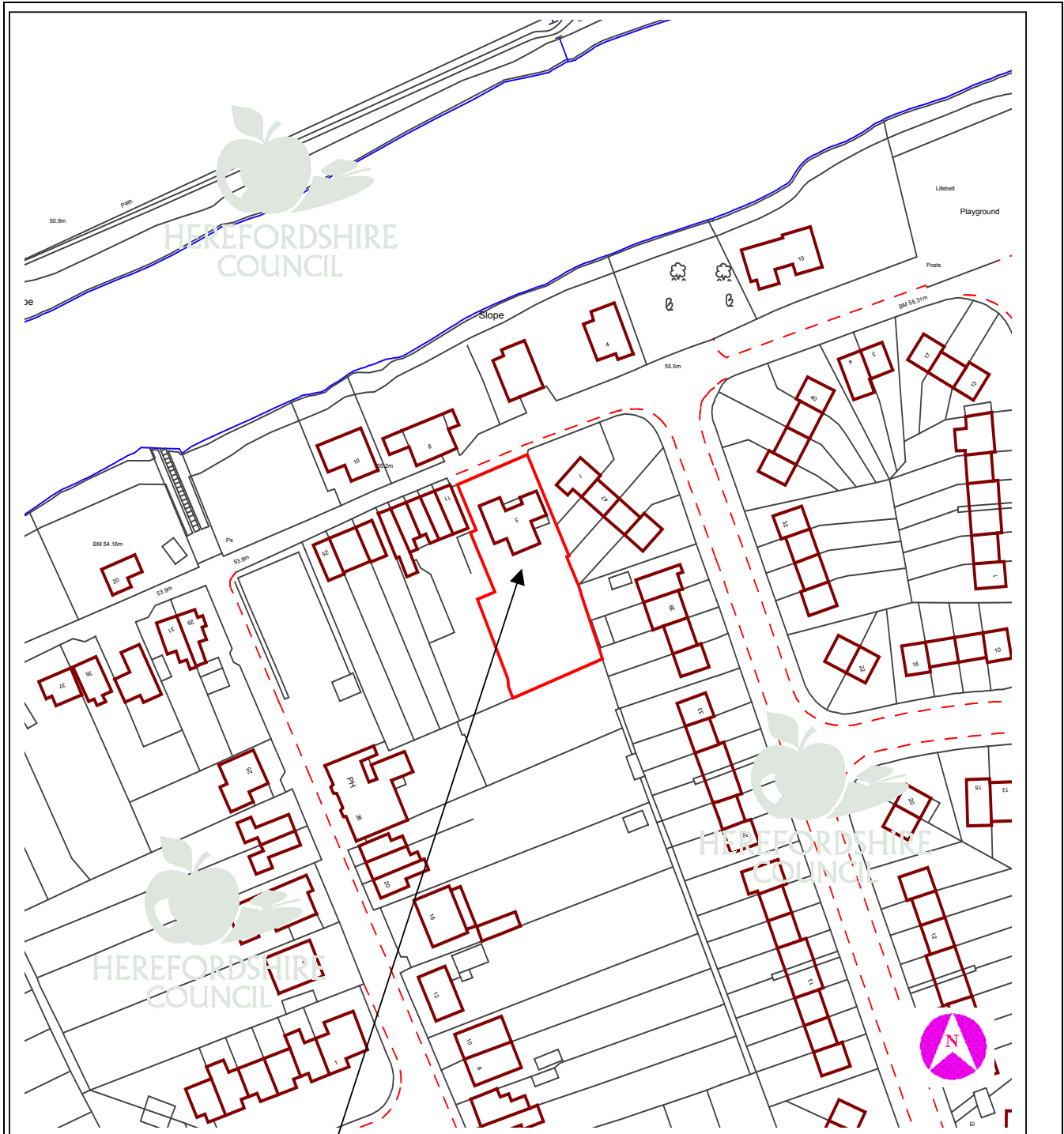
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2008/0610/O

SCALE : 1 : 1250

SITE ADDRESS : 3 Villa Street, Hereford, Herefordshire, HR2 7AY

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