

**7 DCNW2009/0368/F - THE DEMOLITION OF AN EXISTING LARGE BUNGALOW AND GARAGE AND THE ERECTION OF A PAIR OF SEMI DETACHED HOUSES WITH PARKING FACILITIES AT ORCHARD BUNGALOW, ALMELEY, HEREFORD, HEREFORDSHIRE, HR3 6LQ.**

**For: Mrs P Morgan per Mr D Walters, David Walters, 27 Elizabeth Road, Kington, Herefordshire, HR5 3DB.**

**Date Received: 25 February 2009      Ward: Castle      Grid Ref: 33513, 51789**

**Expiry Date: 2 April 2009**

Local Member: Councillor JW Hope MBE

**1. Site Description and Proposal**

- 1.1 The site consists of a single-storey detached dwelling of external concrete block construction under a tiled roof. The property is located adjacent to a single track public highway and has a large lawned area as its rear curtilage.
- 1.2 On either side of the application site are single-storey detached dwellings. To the rear of the site are two-storey detached dwellings. There are also other two-storey detached dwellings on opposite side of the adjacent public highway to the south-east of the application site. All the dwellings are of various scale and character.
- 1.3 The application proposes demolition of the existing dwelling on site, and its replacement with a pair of semi-detached two-storey dwellings with an internal floor space of approximately 119 square metres each, over two floors (measured externally).
- 1.4 The proposed semi-detached dwellings will each contain a lounge, hallway, kitchen/dining room on the ground floor and three bedrooms and bathroom on the first floor.
- 1.5 The application is accompanied by a draft Heads of Terms indicating the applicants willingness to enter in to a Section 106 Agreement under the Town and Country Planning Act 1990 for planning obligations in accordance with guidance contained in the Council's Supplementary Planning Document on Planning Obligations.

**2. Policies**

Herefordshire Unitary Development Plan

- 2.1 S1 - Sustainable development
- S2 - Development requirements
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR4 - Environment

DR5	-	Obligations
H4	-	Main villages: settlement boundaries
H13	-	Sustainable residential design
H14	-	Re-using previously developed land and buildings
H15	-	Density
LA2	-	Landscape character and areas least resilient to change

### 3. Planning History

3.1 None identified on site.

### 4. Consultation Summary

#### Statutory Consultations

4.1 None.

#### Internal Council Advice

4.1 The Transportation Officer has no objections subject to payment of a planning obligation for public highway infrastructure improvement as outlined in the Draft Heads of Terms accompanying the application, and conditions with regards to access turning area and parking and cycle storage, being attached to any approval notice subsequently issued.

4.2 The Public Rights of Way Officer raises no objections on the understanding that a condition with regards to surfacing of the adjacent public footpath, over which access is obtained to the site, is attached to any approval notice subsequently issued.

4.3 The Children and Young People's Directorate has responded with no objections subject to payment of a planning obligation for the one additional dwelling towards educational facilities in the Almeley and Kington areas.

### 5. Representations

5.1 Three letter of comment have been received from:

- Mr & Mrs RD Shepherd, The Birches, Almeley, Herefordshire
- Rich and Carol Harris, Demesne, Almeley, Herefordshire
- Mrs D Wynne, Willow Pool House, Almeley, Herefordshire

5.2 The letters can be summarised as follows:

- No objections to demolition of the existing dwelling on site.
- Concerns that a single dwelling on site would be more appropriate than a pair of semi-detached dwellings.
- Character of proposed development is not in keeping with the surrounding built environment.
- Impact on surrounding privacy and amenity.
- Concerns about public highway access.

5.3 Almeley Parish Council - no response at time of writing this report.

5.4 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 The key issues with regards to this proposal are:

- Principle of the development.
- Impact on the surrounding area.
- Impact on residential amenity.
- Public highway issues.

### Principle of the development

6.2 The application proposes demolition of a single-storey dwelling, considered to be of no historic or architectural merit, and its replacement with a pair of semi-detached dwellings on a site within the recognised development boundary. The site is located outside of the Almeley Conservation Area.

6.3 Therefore the principle of re-development of the site is considered acceptable.

### Impact on the surrounding area

6.4 The proposal is for a pair of semi-detached dwellings each containing a floor space of 119 square metres over two floors, on a ground floor of approximately 140 square metres (both dwellings measured externally) on a site of over 1000 square metres.

6.5 The nearest existing dwellings located on either side of the proposed development (west and east elevations) are in excess of 7 metres from either side of the proposed development.

6.6 The surrounding built environment is a mixture of single and two-storey dwellings of various scale, mass and character, mainly built externally of brick.

6.7 The proposal is for a pair of semi-detached dwellings also built externally of brick under slate roofs.

6.8 It is considered the proposed development is of an acceptable scale mass and character in relationship to the surrounding built environment and of external construction that will blend in satisfactorily with the surrounding built environment.

### Impact on residential amenity

6.9 The proposed development of a pair of semi-detached dwellings on site is considered acceptable in consideration of surrounding residential amenity, with no adverse impact on surrounding dwellings. The proposed development has no windows proposed for the first floor side elevations of the development, with all first floor windows located in either the front or rear elevations. There are ground floor side elevation windows, however this is a similar situation with the present dwelling on site, and the proposed development subject to this application is situated further into the site, these windows are considered acceptable in relationship to neighbouring residential amenity.

Public highway issues

- 6.10 A member of the public has raised concern about public highway access to and from the site. The proposed development is considered acceptable in relationship to public highway issues and it is noted the Council's Transportation Manager raises no issues of concern in relationship to access to and from the site.

**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 B07 (Section 106 Agreement)**

**Reason: In order to provide [enhanced sustainable transport infrastructure, educational facilities, improved play space, public art, waste recycling and affordable housing] in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.**

**3 C01 (Samples of external materials)**

**Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.**

**4 D04 (Details of window sections, eaves, verges and barge boards)**

**Reason: In order to ensure that the work is carried out in accordance with the scale and design of the surrounding built environment and to comply with Policy DR1 of the Herefordshire Unitary Development Plan.**

**5 F14 (Removal of permitted development rights)**

**Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H13 of Herefordshire Unitary Development Plan.**

**6 F15 (No windows in side elevation of extension)**

**Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.**

**7 G10 (Landscaping scheme)**

**Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.**

**8 G11 (Landscaping scheme – implementation)**

**Reason:** In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

**9 H01 (Single access - no footway)**

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

**10 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.

**11 H29 (Secure covered cycle parking provision)**

**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.

**12 The specification for any works to the surface of public footpath AB14, providing private vehicle access to the site, must be submitted for written approval by the local planning authority before any development works hereby approved commences on site.**

**Reason:** In the interest of public and highway safety and to comply with Policy DR3 of the Herefordshire Unitary Development Plan.

**Note**

The applicants should ensure that their contractors are aware that a public footpath runs along the private drive, and that vehicles, materials, debris etc must not be stored on the line of the footpath so as to obstruct the public's right of way.

The applicants should note that because the right of way has footpath status it will only be maintained by the highway authority to a standard suitable for use by pedestrians. The highway authority will not carry out repairs to the surface caused by vehicle movements, and may seek contributions from landowners using the footpath if re-surfacing for its safe use by pedestrians is required in the future.

**Informatives:**

- 1 N15 - Reason(s) for the Grant of Planning Permission**
- 2 N19 - Avoidance of doubt – Approved Plans**
- 3 HN01 - Mud on highway**
- 4 HN03 - Access via public right of way**
- 5 HN04 - Private apparatus within highway**

- 6      **HN05 - Works within the highway**
- 7      **HN10 - No drainage to discharge to highway**
- 8      **HN23 - Vehicular use of public rights of way**
- 9      **HN28 - Highways Design Guide and Specification**

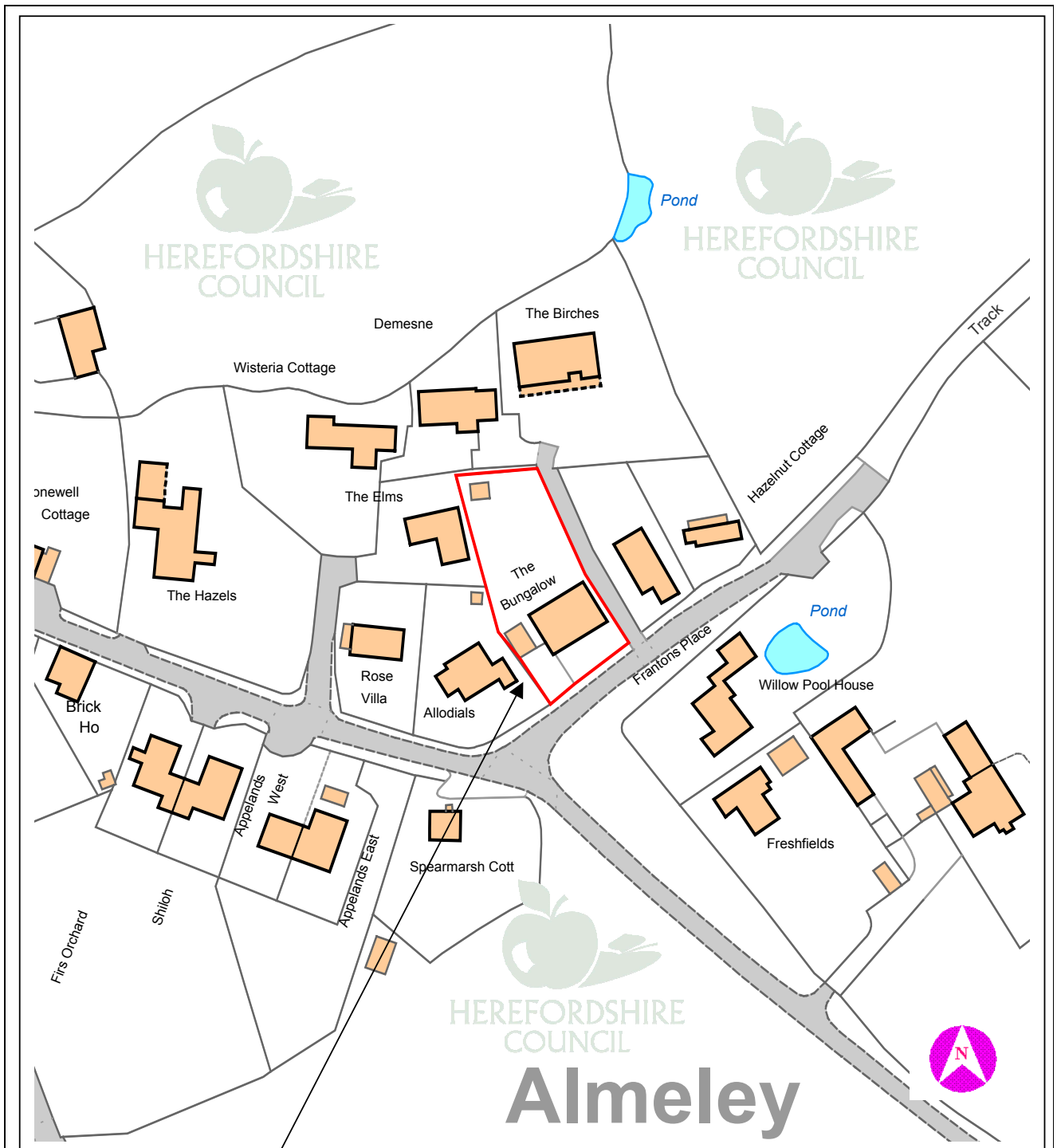
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNW2009/0368/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Orchard Bungalow, Almeley, Hereford, Herefordshire, HR3 6LQ

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