

7 DCCW2009/0119/F - REPLACEMENT DWELLING AND GARAGE BUILDING WITH SOME MINOR LANDSCAPING, INCLUDING ALTERATIONS TO EXISTING ENTRANCE TO IMPROVE SITE ACCESS AT 304 KINGS ACRE ROAD, HEREFORD, HEREFORDSHIRE, HR4 0SD

For: Mr. B. Lane per RRA Architects Ltd, Packers House, 25 West Street, Hereford, HR4 0BX

Date Received: 19 January 2009

Ward: Three Elms

Grid Ref: 47330, 41444

Expiry Date: 16 March 2009

Local Members: Councillors PA Andrews, SPA Daniels and AM Toon

1. Site Description and Proposal

- 1.1 The application site is comprised of a detached timber framed cottage, which has historically been subjected to several extensions and alterations, which have resulted in a degree of harm in terms of its architectural identity, although when viewed from the public realm the character of the original cottage still predominates.
- 1.2 The cottage is set within a substantial curtilage situated on the northern side of the A438 close to its junction with the A480, and forms part of a sporadic linear pattern of residential development which characterises the wider locality.
- 1.3 The application seeks permission to demolish the existing cottage and erect a replacement dwelling. The application is supported by an engineers report which suggests that the existing building is suffering from a number of structural defects; including water ingress, which it concludes are cumulatively beyond reasonable economic repair.
- 1.4 The proposed replacement dwelling takes the form of a contemporary two storey building fronting the highway, comprising four bedrooms, two bathrooms, a kitchen/breakfast room, utility room, and four reception rooms.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
DR5	-	Planning Obligations
H7	-	Housing in the Countryside Outside Settlements

H13	-	Sustainable Residential Design
H15	-	Density
T11	-	Parking Provision
HBA8	-	Locally Important Buildings
CF2	-	Foul Drainage

3. Planning History

- 3.1 CW2002/2055/O Proposed site for four bedroomed house with detached double garage. Refused 10 September, 2002.
- 3.2 CW2002/3644/O Proposed site for four bedroomed house with detached double garage. Refused 24 January, 2003.
- 3.3 CW2007/2037/F Proposed site for cottage style house with double garage. Refused 22 August, 2007. Appeal dismissed 12 June 2008.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to drainage conditions.
- 4.2 Traffic Manager: No objection subject to the use of standard highway conditions, but comments that the lamp-post adjacent to the existing access would benefit from relocation in the interests of improving visibility.
- 4.3 Public Rights of Way Manager: No objections.

Internal Council Advice

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Breinton Parish Council (adjoining): No objection.
- 5.3 Hereford Civic Society: The Society welcomes this rebuild and improvement to the street scene. However, there is some concern that the first floor bedrooms are too small for the size of the house. Further, a higher roofline would improve the appearance of the interesting roof and help its contribution to the eclectic nature of other buildings in Kings Acre Road.

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

Principle of Development

- 6.1 Although the existing building makes a contribution to the character and general visual amenity of the wider locality it is not considered that it is of such value as to be

considered as a building of local interest as defined by Policy HBA8. Consequently its replacement is considered to be acceptable in principle.

- 6.2 Therefore the primary issue in determining this application is considered to be the scale and siting of the proposed development, as well as its impact on the amenity of the wider locality.
- 6.3 In this particular case a structural engineers report suggests that the principal fabric of the building is in a visibly poor condition, and there are a number of serious defects including water ingress due to the ground floor being set lower than the external ground level, which result in the condition of the building being beyond reasonable economic repair, which is a secondary material consideration supporting the principle of replacement.
- 6.4 Although the building is not of local interest as defined by Policy HBA8, in the interests of preserving the contribution the building makes to the interpretation of the development and occupation of the wider locality, a condition is recommended to secure the commission and submission of a detailed photographic record.

Scale and Design:

- 6.5 Having consideration for the scale and massing of the existing cottage, the proposed replacement is considered to be reasonable, in terms of its scale.
- 6.6 More specifically the proposed dwelling will be sited on the same footprint as the existing cottage, but with an increased floor area coupled with a relatively modest increase in overall scale and massing.
- 6.7 The proposed dwelling will have a ridge height of 7.1 metres as opposed to the existing cottage which has a ridge height of 6.7 metres, and although this increase together with a wider span and depth at ground floor level will give rise to a larger dwelling than presently exists, this increase in size recognises current housing standards rather than necessarily representing a deliberate attempt at overdevelopment.
- 6.8 Whilst this increase in overall volume is considered acceptable, to ensure the continued compliance with overarching principles of Policy H7 it is considered expedient to recommend a condition preventing the erection of any subsequent extensions, to ensure that the resultant development remains of a comparable scale to that of the original dwelling.
- 6.9 Given that the ground floor of the existing cottage is set below ground level in order to retain a proper degree of control over the finished height of the replacement dwelling it is considered expedient to recommend a condition to secure details of the slab level, measured against an external datum point.
- 6.10 Having consideration for the character and appearance for the proposed dwelling, the cumulative scale, massing and design of the proposed detached garage are thought to be acceptable. However as this outbuilding will serve a replacement dwelling in order to ensure compliance with the principles of Policy H7 it is considered expedient to recommend a condition preventing any subsequent conversion of the garage into habitable accommodation.

Residential Amenity

- 6.11 Having regard for the relationship between the existing cottage and its surrounding neighbours, it is not considered that there will be such a material change in the levels of residential amenity presently enjoyed as to substantiate any sustainable grounds for refusal on grounds of design in this instance.
- 6.12 In order to protect residential amenity during the demolition and construction phases, it is considered expedient to recommend a condition controlling the hours of operation.

Access and Highways

- 6.13 Although the comments of the Traffic Manager are noted about the desirability of seeking to relocate the lamppost which stands within the visibility splay, given that the vehicular access already exists and secondly that there will be no material intensification of its use, it is not considered reasonable to require the relocation of the lamppost in this particular instance. That issue aside, standard highway conditions are recommended in the interests of highway safety.

Other Issues

- 6.14 The comments of Welsh Water are noted and appropriate conditions are recommended
- 6.15 As the proposal involves the complete demolition of the existing buildings which stand adjacent to open agricultural land, it is considered expedient to recommend an informative advising the applicant of the statutory protection afforded to protected species and their habitats.

Conclusion

- 6.16 Overall the proposal complies with the relevant development plan policies and as such, approval is recommended.

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. Before any development commences, a complete photographic record of the building must be submitted to the local planning authority for written approval and the approved record shall be deposited with the Herefordshire Sites and Monuments Record.**

Reason: To ensure that the building is preserved by record, where it will be lost as a result of the development hereby approved.

- 3. I51 (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 so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

4. B01 (Development in accordance with the approved plans).

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

5. 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.

6. F08 (No conversion of garage to habitable accommodation).

Reason: In order to define the permission and ensure that the resultant development remains of an appropriate scale to comply with Policy H7 of Herefordshire Unitary Development Plan.

7. F14 (Removal of permitted development rights).

Reason: In order to define the permission and ensure that the resultant development remains of an appropriate scale to comply with Policy H7 of Herefordshire Unitary Development Plan.

8. G02 (Retention of trees and hedgerows).

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan.

9. H05 (Access gates).

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

10. 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.

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

12. 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.

- 13. **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.

- 14. **L01 (Foul/surface water drainage).**

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

- 15. **L02 (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 so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

Informatives:

- 1. **N01 - Access for all.**
- 2. **N11C - General.**
- 3. **N19 - Avoidance of doubt - Approved Plans.**
- 4. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

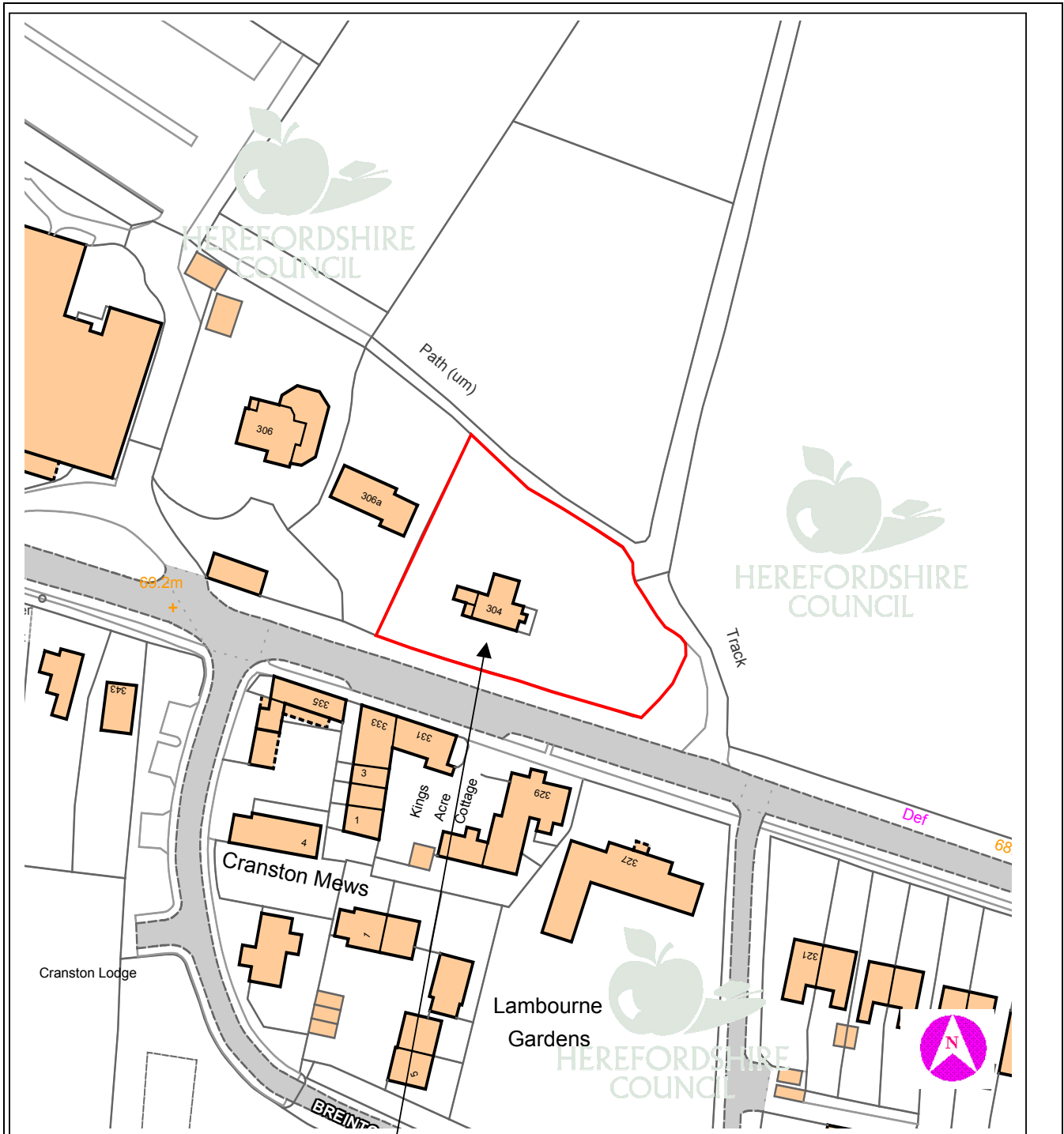
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2009/0119/F

SCALE : 1 : 1250

SITE ADDRESS : 304 Kings Acre Road, Hereford, Herefordshire, HR4 0SD

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