

7A DCCE0009/0936/F - DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO NEW HOUSES AT GRIMWORTH COTTAGE, HAMPTON BISHOP, HEREFORD, HEREFORDSHIRE, HR1 4JN

For: Mr. C. Davies, 72A Old Eign Hill, Hereford, HR1 4JN

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For: Mr. C. Davies, 72A Old Eign Hill, Hereford, HR1 4JN

Date Received: 6 May 2009

Ward: Tupsley / Backbury

Grid Ref: 53777, 39066

Expiry Date: 1 July 2009

Local Members: Councillors MD Lloyd-Hayes, AP Taylor, WJ Walling / JE Pemberton

1. Site Description and Proposal

- 1.1 The application site is to the south of Hampton Park Road and is the last site within the Hereford City boundary and the Hampton Park Conservation Area. Hampton Park road has a mixture of buildings of differing architectural styles fronting on to it. To the west of the site is Braemar Gardens, a modern housing estate with large detached red brick properties. The curtilage of the Grimsworth Cottage forms the city boundary. The application site has an area of 0.14ha and is currently occupied by a large detached dwelling constructed from roughcast-rendered external brick walls under a tiled roof. The building appears to date back to the 1920s. There are mature trees and hedgerows on all of the boundaries to the site.
- 1.2 This application proposes to demolish the existing property on site and construct two detached low energy family homes. The site occupies a prominent location on the entrance into the city. It is proposed to relocate the access 10m to the east of the existing with the two properties positioned to make best use of the southern site aspect to optimise solar gain.
- 1.3 The main body of the two properties measure 11.6m x 7.7m and have an attached double garage and utility measuring 6.4m x 6.3m. There is also a conservatory to the rear measuring 2.4m x 7.7m. The accommodation is spread over three floors and consists of five bedrooms, with a large kitchen, dining and living room on the ground floor. The overall height of the buildings measures 9.7m.
- 1.4 Solar water heating is proposed for both the properties with solar panels proposed on the south facing rear roof slope. Both houses have extensive glazing on the southern elevations to optimise the solar gain.

- 1.5 The site currently has extensive vegetation on all its boundaries. The proposal seeks to retain all the mature trees bar one on the northern boundary, with all the existing hedging on the northern boundary also retained.
- 1.6 The application is accompanied by a Design and Access Statement, a Heritage Statement and an Ecological Survey.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

| | | |
|------|---|--|
| S1 | - | Sustainable Development |
| S2 | - | Development Requirements |
| DR1 | - | Design |
| DR2 | - | Land Use and Activity |
| DR3 | - | Movement |
| DR5 | - | Planning Obligations |
| H1 | - | Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas |
| H13 | - | Sustainable Residential Design |
| H14 | - | Re-using Previously Developed Land and Buildings |
| H15 | - | Density |
| H16 | - | Car Parking |
| H19 | - | Open Space Requirements |
| T6 | - | Walking |
| T8 | - | Road Hierarchy |
| HBA4 | - | Setting of Listed Buildings |
| HBA6 | - | New Development Within Conservation Areas |
| HBA7 | - | Demolition of Unlisted Buildings Within Conservation Areas |

3. Planning History

- 3.1 No planning history.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Traffic Manager: No objection to the application.
- 4.3 Conservation Manager: 'The proposed development is considered to sit comfortably within the landscape and does not have a detrimental impact on the character of the Conservation Area'. Recommended approval.
- 4.4 Conservation Manager (Ecology): 'The recommendations set out in the ecologist's report should be followed in relation to the identified species'. Recommended approval subject to conditions.
- 4.5 Public Rights of Way Manager: The proposal does not appear to affect any recorded public right of way therefore no objection to this application.

5. Representations

- 5.1 Hereford City Council: Recommend the application is refused due to an inappropriate design in the Conservation Area.
- 5.2 Hampton Bishop Parish Council: Recommend refusal of the application as the plot is too small for the size of the proposed development, the design is not in keeping and there is a policy of no new builds in Hampton Bishop due to frequent flooding.

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 application site lies within the defined settlement boundary of Hereford within which Policy H1 of the Herefordshire Unitary Development Plan (HUDP) recognises that there is scope for appropriate residential development providing that the character and appearance of the wider locality is not adversely affected by the proposed development. Therefore, the proposal is acceptable in principle, subject to other material considerations being satisfactorily resolved. Having regard for the relevant policies, the primary issues in determining this application are considered to be as follows:-

- Design and Layout of the Development
- Residential Amenity
- Access and Highways Issues
- Visual Amenity and Overall Impact on the Conservation Area

Design and Layout of the Development

- 6.2 Hampton Park Road has a mixture of properties fronting on to it, with the majority being large detached properties of modern design. Having regard for the pattern and density of residential development in the wider locality, the design, scale and massing of the two proposed properties is considered to be appropriate, whilst the siting and orientation has taken appropriate account of the position and orientation of the adjoining properties. The two dwellings on the site are not considered to represent over development of the site and the proposal is considered to make effective and efficient use of the site area available.

Residential Amenity

- 6.3 Having regards for Policy H13 of the HUDP, the design of the proposed development provides for acceptable levels of residential amenity within the scheme and in respect of neighbouring properties. It is not considered that the proposed dwellings will materially alter the level of residential amenity presently enjoyed by neighbouring properties, in particular number 1 Braemar Gardens, which would give rise to any sustainable grounds for refusal.
- 6.4 More specifically the design of the west elevation on plot 1 has only the one first floor window, which is shown as being obscure therefore protecting the amenity of properties in Braemar Gardens from direct overlooking. To ensure that a satisfactory relationship continues between the existing properties and the proposed development, conditions are recommended removing permitted development rights to extend or alter the property, and/or insert any new windows at first floor level, as well as control the hours of building operations to safeguard the amenity of the residential area during the construction phase. Overall the

proposed development is not considered to give rise to any harm to the visual or residential amenity of the wider locality.

Access and Highways Issues

- 6.5 The existing vehicular access from Hampton Park Road is considered poor. The proposal includes a new access 10m to the east of the existing. With the removal of just one of the trees on the boundary and the vegetation maintained to a height of 0.9metres, the visibility achieved is 2.4m x 120m. This has been discussed at length with the Traffic Manager prior to the application being submitted and is in line with the requirements of the Council's Highways Design Guide. The tree is not protected under a Tree Preservation Order or Conservation Area legislation. The work will represent an improvement in safety terms both for the prospective inhabitants of the two proposed dwellings and for all traffic using the Hampton Park Road. The Traffic Manager supports the application.

Visual Amenity and Overall Impact on the Conservation Area

- 6.6 The application site is within the Conservation Area and therefore the application falls to be considered against Policy HBA6 of the HUDP. The comments from both Hereford City Council and Hampton Bishop Parish Council in relation to the design of the proposal being inappropriate in the Conservation Area have been carefully considered. The proposal was discussed at length with both the Planning Officers and the Conservation Officers prior to the application being submitted. The Conservation Officer has raised no objection to the design of the proposal and considers the development to sit comfortably within the landscape and not to have a detrimental impact on the character of the Conservation Area.
- 6.7 Policy HBA6 states that 'the quality and type of design and materials should reflect those contributing to the area's character and appearance'. The Hampton Park Conservation Area is considered to have a wide range of properties/buildings of different architectural appearances. In recent years there have been a number of new developments along Hampton Park Road, some traditional and some contemporary. The existing building on the site has been subject to neglect and vandalism in recent years and is not considered to be of any architectural or historic merit. The proposed design is considered to be fairly contemporary however it respects the scale, massing and height of adjoining buildings and does not detract from the character or the appearance of the conservation area. The site is currently fairly well screened and with appropriate landscaping it is considered that the proposed dwellings will also be screened from public view from both the highway and other public vantage points.
- 6.8 Notwithstanding the content of the landscape strategy shown on the plans submitted it is considered essential to impose a condition requiring pre-commencement agreement of a landscape scheme to be agreed by the local planning authority. A condition is also recommended regarding the details of boundary treatments in order to maintain the visual amenities of the area.

Impact on Protected Species

- 6.9 The planning ecologist reported a record of pipistelle bats roosting in the house, the applicants have carried out an ecological survey assessing the presence of bats and birds on the site and the potential impact of the proposed development. The Council's Planning Ecologist raised no objection to the proposal but has requested conditions be attached to any decision notice.

Summary and Conclusions

- 6.10 The application site is within the Hereford City boundary and within an established residential area, where the principle of development is acceptable. However, the location is within the Hampton Park Conservation Area, in close proximity to neighbouring properties at Braemar Gardens and fronts on to the busy Hampton Park Road. Notwithstanding these constraints, officers consider the development an acceptable approach that will preserve the character and appearance of the Conservation Area and it does not represent overdevelopment of the site.
- 6.11 The application is therefore recommended for approval subject to the conditions set out below.

RECOMMENDATION

In respect of DCCE0009/0936/F:

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. **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.
3. **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 H18 of Herefordshire Unitary Development Plan.
4. **F16 (No new windows in specified elevation).**
Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.
5. **F17 (Obscure glazing to windows).**
Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.
6. **D09 (Details of rooflights).**
Reason: To ensure that the rooflights are of an appropriate form and minimise the potential disruption to the appearance and continuity of the roofs in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policies HBA1 and HBA3 of Herefordshire Unitary Development Plan.

7. D10 (Specification of guttering and downpipes).

Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the safeguarding of the special architectural or historical interest of the building and to comply with the requirements of Policies HBA1 and HBA3 of Herefordshire Unitary Development Plan.

8. G09 (Details of boundary treatments).

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.

9. 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.

10. 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.

11. H03 (Visibility splays).

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

12. H05 (Access gates).

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

13. 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.

14. H08 (Access closure).

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

15. H09 (Driveway gradient).

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

16. 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.

17. 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.

18. H29 (Secure covered cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

19. The recommendations set out in the ecologist's report dated July 2009 should be followed in relation to the identified protected species unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, & c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of the Herefordshire Councils Unitary Development Plan.

20. Prior to the new dwellings being occupied, an ecological and wildlife enhancement strategy shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless agreed in writing with the Local Planning Authority.

Reason: To comply with Herefordshire Council's Unitary Development Plan Policies NC6, NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9 Biodiversity and Geographical Conservation and the NERC Act 2006.

Informatives:

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

In respect of DCCE0009/0937/C:

That Conservation Area Consent be granted, subject to the following conditions:

1. DO1 (Time limit for commencement (Listed Building Consent)).

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. D13 (Signing of contract before demolition).

Reason: Pursuant to the provisions of section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to comply with the requirements of Policy HBA2 of Herefordshire Unitary Development Plan.

3. D17 (Notification of Commencement).

Reason: In order to ensure compliance with Section 7 and 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to comply with the requirements of Policy HA1, HBA2 of Herefordshire Unitary Development Plan.

Informatives:

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

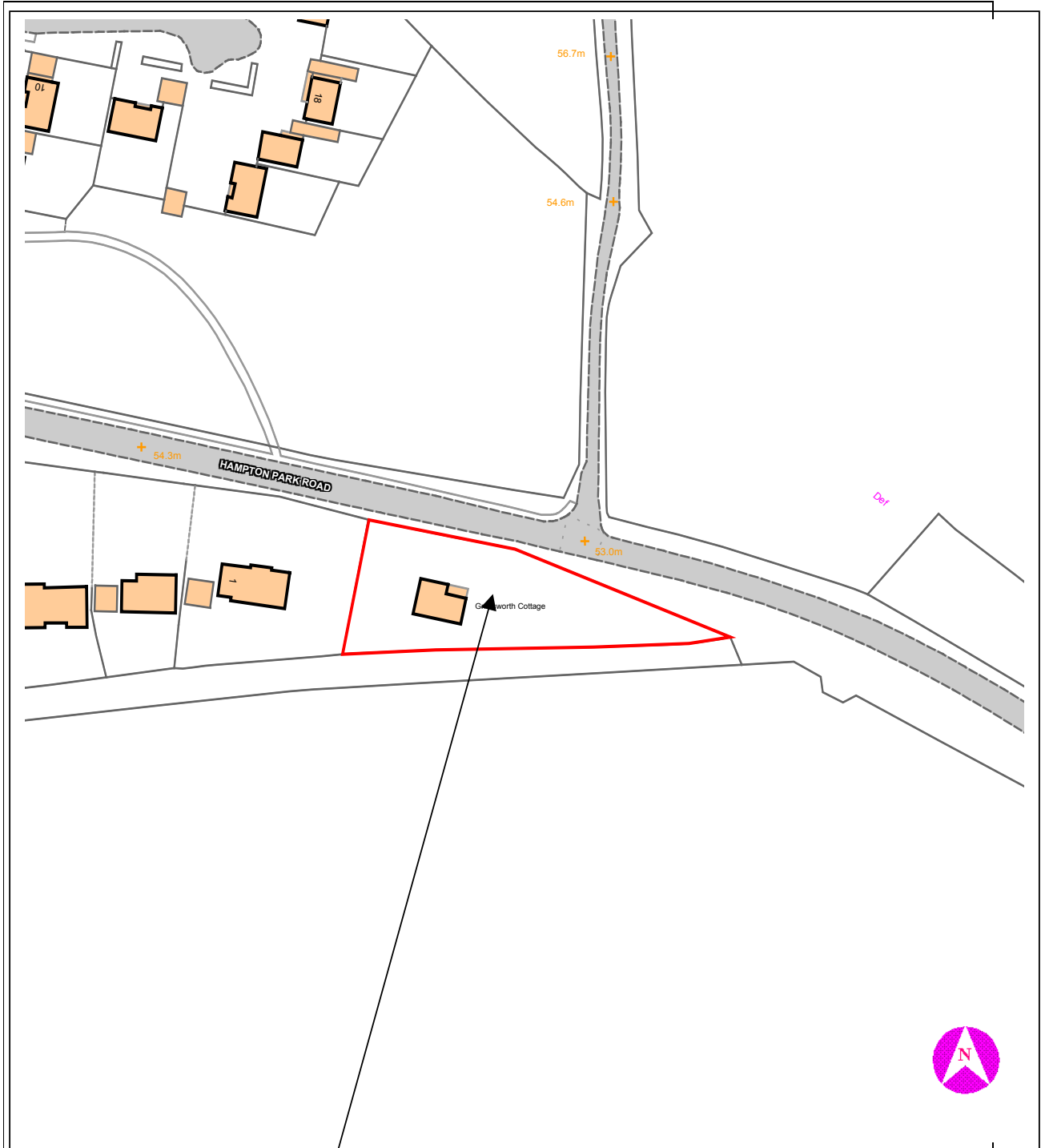
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE0009/0936/F & DCCE0009/0937/C

SCALE : 1 : 1250

SITE ADDRESS : Grimworth Cottage, Hampton Bishop, Hereford, Herefordshire, HR14JN

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