

**11 DCCW0009/1321/F - ERECTION OF TWO SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING. 152 EIGN STREET, HEREFORD, HEREFORDSHIRE, HR4 0AP**

**For: Mrs. T. Lin per Paul Smith Associates, 12 Castle Street, Hereford, HR1 2NL**

**Date Received: 15 June 2009**

**Ward: Three Elms**

**Grid Ref: 50520, 40125**

**Expiry Date: 10 August 2009**

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

**1. Site Description and Proposal**

- 1.1 The application site comprises the rear curtilage of 146-152 Eign Street, which in total extends to approximately 0.4 hectares, and is currently laid to hard standing with a single storey garage/store sited in the northeast corner.
- 1.2 Eign Street is characterised by a pattern of mixed use development comprising residential properties interspersed by commercial and allied activities. To the rear of the application on the opposite side of a high brick wall lies a car park serving an Aldi supermarket.
- 1.3 The application seeks permission to erect a pair of semi-detached dwellings, each comprising two bedrooms with an ensuite and family bathroom on the first floor, above a kitchen and reception room on the ground floor. Private amenity space as well as off-road parking will serve each of the dwellings.

**2. Policies**

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
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
HBA6	-	New development in Conservation Areas
CF1	-	Utility Services and Infrastructure
CF2	-	Foul Drainage

### 3. Planning History

None

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Welsh Water: No objection subject to the imposition of standard conditions, and comment that a public sewer crosses the front of the site.

#### Internal Council Advice

- 4.2 Conservation Manager: The site is well screened from most angles by existing buildings and vegetation. The scale and massing is in keeping with the surrounding buildings and the backland character of the site. The restrained design of the building is appropriate for the site and will sit well with the surrounding red brick buildings. However I would suggest that the front gardens will not be particularly useable, and moving the building forward would improve the rear gardens.
- 4.3 Traffic Manager: Cycle storage should be provided, with this included the proposed provision of one space per unit would be acceptable.

### 5. Representations

- 5.1 Hereford City Council: This application should be refused as inappropriate for residential development in a largely commercial area.
- 5.2 Hereford Conservation Advisory Panel – In principle accept the development, however design could be improved in terms of internal layout and fenestration.
- 5.3 Mr. Rahman, 154-6 Eign Street: I object to the new building as I believe that we have a right of way from our property across the rear of 152 Eign Street and their driveway. This is despite the owners stopping me by fitting a large fence a few years ago.

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 lies within a designated settlement boundary and the Herefordshire Unitary Development Plan 2007 recognises that there is scope for appropriate residential development within this area providing that the character and appearance of the wider locality is not adversely affected by the proposed development. Therefore, the primary issues in determining this application are considered to be:

- Design and Layout of the Development
- Residential Amenity
- Access and Highways Issues

#### Design and Layout of the Development

- 6.2 The proposed development will comprise a single two storey building orientated north-south onto what will become a central courtyard with private amenity space to the rear.

- 6.3 Having regard to the urban location of the application site, the design, bulk and massing of the proposed development is considered to be acceptable, whilst the siting and orientation takes appropriate account of the position and orientation of the adjoining properties.
- 6.4 Whilst the comments by the Hereford Conservation Advisory Panel about the missed opportunity in terms of the design being unremarkable are noted, the simple form of the proposed development is considered to be acceptable having consideration for its location.
- 6.5 As to the claimed obstruction of the private right of way, this is not a material planning consideration, and therefore these concerns do not give rise to sustainable grounds for refusal.
- 6.6 Overall the design and layout is considered acceptable, as proposed development would not appear out of character with the mixed urban grain of wider locality.

#### Residential Amenity

- 6.7 The proposed development will not materially impact on the levels of residential amenity presently enjoyed by the flats above the properties immediately to the south.
- 6.8 In terms of the amenity of the occupants of the proposed dwellings, whilst the comments of the Conservation Manager are noted about re-siting the building forward to enlarge the rear amenity space, having regard to the separation distances involved with the existing properties as well as for an extant planning permission to extend the neighbouring restaurant, the proposed siting is considered to be appropriate as it provides sufficient amenity space for what will be two modest city centre dwellings.
- 6.9 However, to ensure that the amenity space is not subsequently diminished through the erection of extensions or alterations it is considered expedient to recommend a condition removing permitted development rights.
- 6.10 Overall the proposed development is not considered to give rise to any harm to the visual or residential amenity of the wider locality, however in order to protect the amenity of the area during the construction phase, standard conditions are recommended to control the hours of operation during the demolition and construction phases.

#### Water and sewerage

- 6.11 The comments of Welsh Water, are noted and an appropriate informative is recommended advising the applicant about the public sewer which crosses the front of the application site.

#### Access and Highways

- 6.12 The property is served by an existing vehicular access, which passes through an archway formed within the terrace of properties which front Eign Street. The proposed dwellings will continue to be served by this access, with a total of 1 parking space being provided per unit, together with additional spaces which will serve the Eign Street properties.
- 6.13 In principle the Traffic Manager has no objection to the access and parking arrangements, having consideration for the existing use of the property, but comments that secure cycle storage should be provided given that only 1 parking space is allocated per dwelling. These comments are considered reasonable and the appropriate conditions are recommended.

Planning Obligation

6.14 The proposed development falls within the terms of the adopted Planning Obligations SPD and as such is liable for a range of Section 106 contributions. However, in accordance with the decision of the Cabinet Member for Environment and Strategic Housing to relax the requirement for residential schemes for five dwellings or less which came into effect on the 1 April 2009, the proposed development is exempt subject to the planning permission being limited to 12 months.

Conclusion

6.15 Overall the proposal complies with the Development Plan, 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)).**
2. **B01 (Development in accordance with the approved plans).**
3. **C01 (Samples of external materials).**
4. **F14 (Removal of permitted development rights).**
5. **G09 (Details of boundary treatments).**
6. **H13 (Access, turning area and parking).**
7. **H29 (Secure covered cycle parking provision).**
8. **I16 (Restriction of hours during construction).**
9. **L01 (Foul/surface water drainage).**
10. **L02 (No surface water to connect to public system).**

**Informatives**

1. **N01 - Access for all.**
2. **N04 - Rights of way.**
3. **W02 - Welsh Water rights of access.**
4. **N19 - Avoidance of doubt - Approved Plans.**
5. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

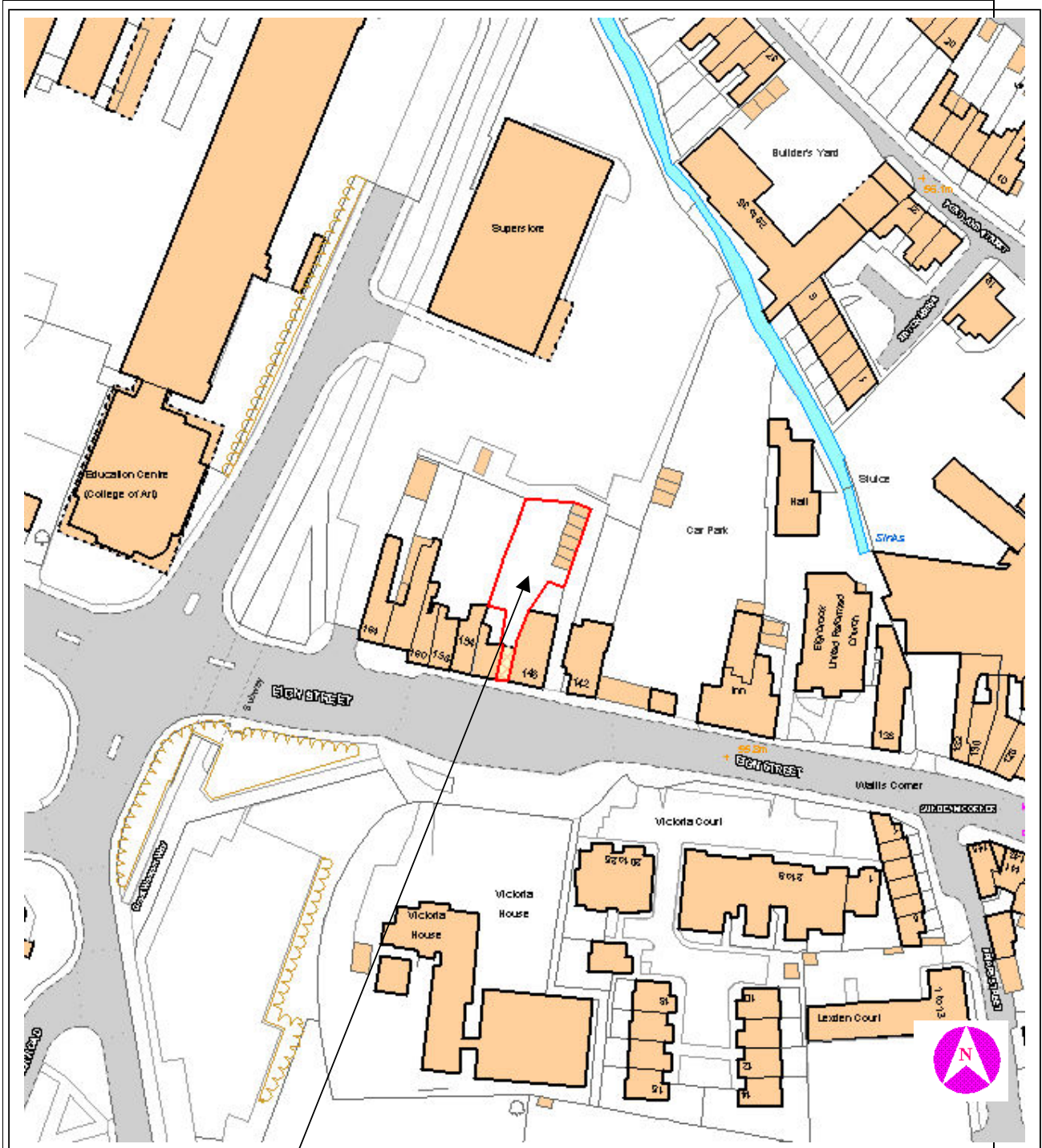
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCCW0009/1321/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 152 Eign Street, Hereford, Herefordshire, HR4 0AP

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005