

**5 DCCE0009/1383/F - PROPOSED DWELLING
ADJOINING EXISTING DWELLING AT 22 BUTE
AVENUE, HEREFORD, HEREFORDSHIRE, HR2 6BU**

**For: Mrs James per John Parry, 33 Imperial Square,
Cheltenham, Gloucestershire, GL50 1QZ**

Date Received: 26 May 2009

**Ward: St Martins and
Hinton**

Grid Ref: 351259,238705

Expiry Date: 19 August 2009

Local Members: Councillors WU Atfield, ACR Chappell and AT Oliver.

1. Site Description and Proposal

- 1.1 Bute Avenue is a residential cul-de-sac serving 23 houses situated on the eastern side of Hinton Road and falls within the designated Established Residential Area of Hereford.
- 1.2 No. 22 is a two-storey semi-detached dwelling situated at the end of the cul-de-sac. Adjacent to the west is an electricity sub-station. The northern and western boundaries are currently bounded by small trees, hedge and 1.8m high fences.
- 1.3 The application seeks planning permission for the erection of a two-storey two-bedroom end of terrace dwelling to the west of No. 22. Two off street parking spaces will be provided at the forecourt and private amenity space to the rear.

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
H1	-	Hereford and the Market Towns: Settlement boundaries and established residential areas
H13	-	Sustainable residential design
H15	-	Density
H16	-	Car parking

3. Planning History

- 3.1 DCCE2008/1747/F - Proposed new dwelling. Refused 28 August 2008.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection, but suggest the use of standard conditions to deal with the foul water and surface water arrangement.
- 4.2 National Grid: No objection.

Internal Council Advice

- 4.3 Traffic Manager: No objection, but suggest the use of standard highway conditions to secure sufficient off-street parking spaces.
- 4.4 Environmental Health Manager: No objection.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Six letters of objection have been received from the local residents. The main points raised are:

- 1. It would increase the housing density.
- 2. It would lead to an increase in motor vehicle traffic on an important pedestrian and cycling route.
- 3. It would destroy part of an important garden habitat, which is used by birds.
- 4. The proposed new dwelling would block out natural daylight of adjacent property.
- 5. Questions the health risks as the site is adjacent to a sub-station.
- 6. Questions the car parking provision.
- 7. The proposed dwelling is not in keeping with the rest of the cul-de-sac as it will have flat windows, whereas the other properties in the street all have bay fronted windows.
- 8. A terrace is out of character within the area as the area is predominantly characterised by semi-detached properties.
- 9. Our house and garden would suffer a significant loss of privacy from the windows at the rear.
- 10. An additional house is bound to bring additional noise.
- 11. Additional dwelling may increase risks of flash flooding.

- 5.3 One support letter has been received from Mr Frank Barton, tenant of 22 Bute Avenue.
- 5.4 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 The site is located in an established residential area within the settlement boundary for Hereford City. It is also within the curtilage of the existing dwelling. The location is one where residential development would be considered acceptable in principle subject to satisfying detailed policy requirements.

- 6.2 The application site is approximately 178 square metres. Whilst the plot is not as spacious as those properties on Bute Avenue, it is not considered so restricted that an additional dwelling as proposed would appear cramped or out of character in relation to the general pattern of development in the locality. The design of the proposed dwelling is considered appropriate, which is of a typical 70's style with a hipped-end roof and of brick construction under a tiled roof and is in keeping with the architectural style of the existing dwelling and neighbouring properties in the vicinity. The scale and massing of the proposed dwelling is also considered acceptable and proportionate in relation to the existing dwelling. However to ensure the acceptable form of development, it is considered expedient to remove the permitted development rights of the proposed dwelling.
- 6.3 With regard to the concerns raised in respect of the overlooking and loss of privacy, careful consideration has been given to the likely impact of the proposed dwelling on the neighbouring properties. With regard to the properties to the north (17 Arran Avenue), it is noted that there will be a distance of 38 metres between the two rear elevations such that reasonable standards of amenity could be safeguarded in this instance. In terms of the impact upon the adjoining properties (20 and 18 Bute Avenue), it is acknowledged that an additional dwelling may have implications on their amenity in terms of overlooking of the property and its garden but the impact will not be significant in this instance as these properties are already overlooked by existing properties. To the west is 17 Willow Grove, which is set in some 11 metres from the boundary with the application site. Since the proposed dwelling will have a blank elevation to the side wall, there will be no impact onto their amenity in this instance. However, to ensure the satisfactory amenity of the neighbour's property, it is expedient to recommend a condition to restrict any new openings on this elevation.
- 6.4 Regarding the parking and highway safety issues, it is acknowledged that this has caused a significant concern from local residents and most of the properties in Bute Avenue benefit a minimum of two off street parking spaces. An indicative layout has demonstrated that such provision would be achieved within the application site. It is noted that the Traffic Manager raises no objection to this proposal, therefore it is considered that Bute Avenue is capable of supporting the additional traffic generated by the proposed dwelling and with the conditions as requested, highway safety will not be detrimentally affected in this instance.
- 6.5 The issues raised regarding foul and surface water drainage are noted, however given the Welsh Water raises no objection to this application, it is considered that an additional dwelling in this area would not give rise to the detriment of the existing drainage system in the locality.
- 6.6 The proposed development falls within the terms of the adopted Planning Obligations Supplementary Planning Document 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.
- 6.7 The concerns of the objectors are acknowledged but having regard to the appraisal above, it is considered that subject to conditions, an additional dwelling could be accommodated on the proposed site without detriment to the character of the locality or the amenity of the neighbouring occupiers. The proposed development is considered in accordance with the relevant planning policies and therefore represents an acceptable form of development.

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. **F15 No windows in side elevation of extension**
6. **G09 Details of Boundary treatments**
7. **G10 Landscaping scheme**
8. **G11 Landscaping scheme - implementation**
9. **H06 Vehicular access construction**
10. **H09 Driveway gradient**
11. **H10 Parking - single house**
12. **I16 Restriction of hours during construction**
13. **L01 Foul/surface water drainage**
14. **L02 No surface water to connect to public system**
15. **L03 No drainage run-off to public system**

Informatives:

1. **HN01 Mud on highway**
2. **HN05 Works within the highway**
3. **HN10 No drainage to discharge to highway**
4. **N03 Adjoining property rights**
5. **N15 Reason(s) for the Grant of PP/LBC/CAC**
6. **N19 Avoidance of doubt - Approved Plans**
7. **N14 Party Wall Act 1996**

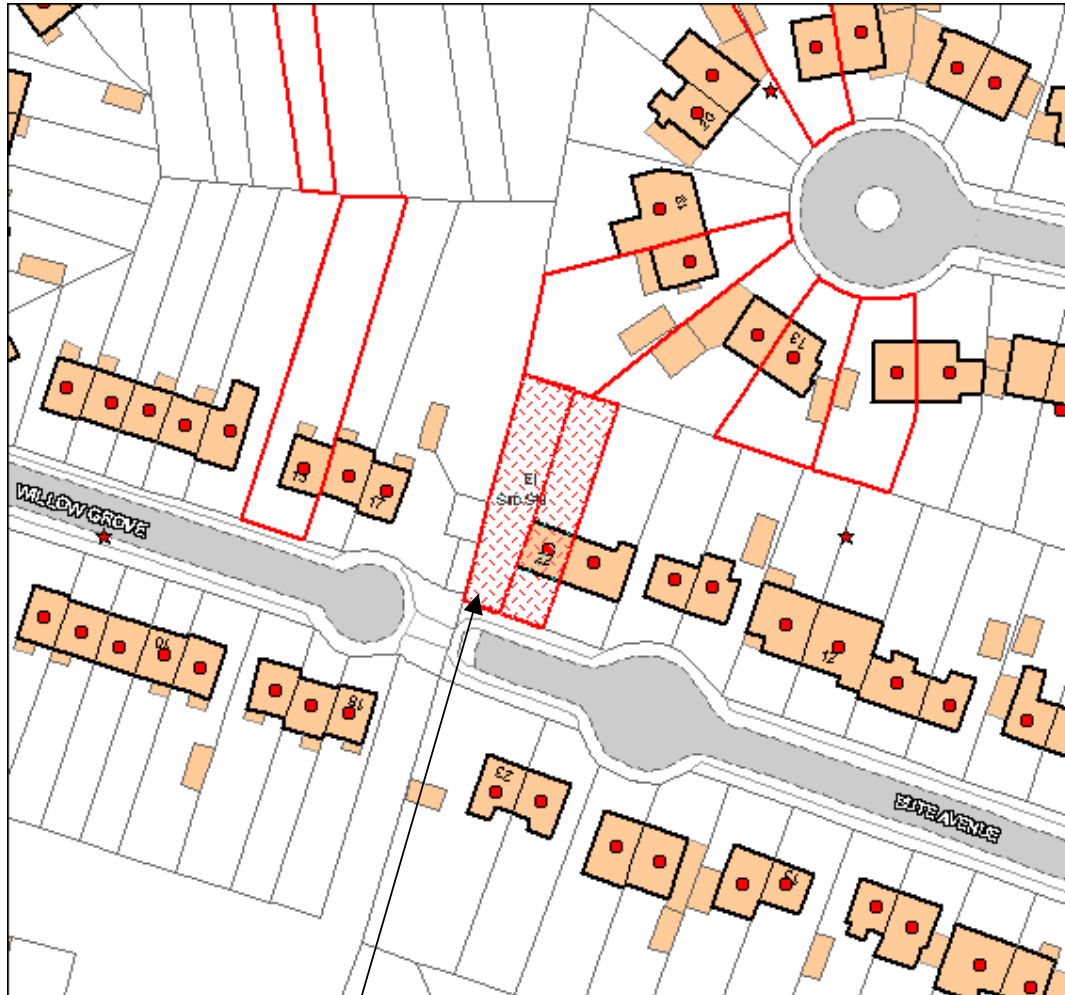
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : 22 BUTE AVENUE, HEREFORD, HEREFORDSHIRE, HR2 6BU

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