

## **12 DMCE/092625/F - PROPOSED SINGLE STOREY TWO BED DWELLING AT LAND TO THE REAR, 9 KYRLE STREET, HEREFORD, HR1 2ET**

**For: Mr J Ball per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1IH**

**Date Received: 9 November 2009      Ward: Central      Grid Ref: 351422,240133**

**Expiry Date: 4 January 2010**

Local Member: Councillor MAF Hubbard

### **1. Site Description and Proposal**

- 1.1 The application site is comprised of the rear garden of No. 9 Kyrle Street. The existing property is a semi detached rendered property fronting onto Kyrle Street. On the southwest boundary there is an access road serving properties and the businesses to the rear of the dwelling, which front onto Commercial Road. Also to the southwest is the boundary of the Conservation Area. To the east, in number 11 Kyrle Street's rear garden is a newly constructed red brick terraced building containing five dwellings.
- 1.2 The application follows the refusal of a previous application which proposed a two storey two bedroom property. The application was refused due to impact on the character and appearance of the established residential area and its impact on the residential amenity of adjoining properties. This application now proposes a single storey dwelling, still providing two bedroomed accommodation. The new dwelling will have a single parking space and private amenity space. The building measures 14.8 x 5.2 metres with a maximum height of 3.8 metres. The walls are constructed from cedar vertical cladding and Ibstock Priory red bricks and a barrelled roof from standing seam zinc cladding.

### **2. Policies**

- 2.1
- |     |   |  |
|-----|---|--|
| S1  | - | Sustainable Development  |
| S2  | - | Development Requirements   |
| S3  | - | Housing  |
| 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  |

### **3. Planning History**

- 3.1 DCCE0009/1380/F – Proposed two bedroomed house to the rear of number 9 Kyrle Street. Refused.

3.2 DCCE2008/1458/F - Proposed development to form 5 dwellings - alterations to previously approved planning application DCCE2005/3449/F. Approved with conditions.

3.3 DCCE2005/3449/F - Proposed development to form 5 dwellings. Approved with conditions.

#### **4. Consultation Summary**

##### Statutory Consultations

4.1 Welsh Water: No objection, but suggest the use of standard conditions.

4.2 Hereford Civic Society: Object to the application due to the loss of green space and the proposal being out of keeping with its surroundings.

##### Internal Council Advice

4.3 Traffic Manager: No objection, the proposed intensification is considered minimal.

4.4 Archaeological Advisor: No objections to the proposal subject to conditions.

4.5 Conservation Officer: No comments received.

#### **5. Representations**

5.1 Hereford City Council – No objection.

5.2 One letter of objection has been received from S. Pickering, 11 Kyrle Street. The objection is summarised as follows:

- The proposed development would be overlooked by all the surrounding buildings.
- The materials are different to anything else in the area.
- Number 9 Kyrle Street will be left with very little rear garden.
- The proposed development will appear cramped on the plot.

5.3 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 application lies within the designated settlement boundary for Hereford City 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 as follows:

- Design and Layout of the Development and its Impact on the Surrounding Area
- Residential Amenity

##### Design and Layout of the Development and its Impact on the Surrounding Area

6.2 Following the refusal of planning application DCCE0009/1380/F, the applicant's agent has comprehensively redesigned the scheme, omitting the 1st floor element and reducing the overall height and bulk of the building, in order to overcome the previous grounds of objection,

which related to the impact on the character and appearance of the established residential area and adjoining Conservation Area.

- 6.3 Having regard to the size and shape of the application site, the scale and massing of the proposed development are considered to be acceptable, with the siting and design taking appropriate account of the position and orientation of the adjoining properties. The proposed development now takes the form of a single storey linear structure which incorporates a barrel roof to reduce the ridge height in order to minimise the impact on the neighbouring properties, particularly those to the south.
- 6.4 Although its design and appearance will be different to that of its neighbours, there is no defining architectural style within the immediate area, which contains a mix of older terraced properties, modern flatted glazed developments and commercial properties.
- 6.5 The proposed development is not considered as prominent as that which has previously been refused. Consequently, the proposed development is no longer considered to be out of character with the urban character of the wider locality. There should be no harm to the character or appearance of the Conservation Area. However to ensure the satisfactory appearance of the development it is considered expedient to recommend conditions requiring the prior approval of external materials.
- 6.6 The comments of the Civic Society and neighbour are noted but for the reasons set out above it is not considered that the proposal represents an unacceptable form development having proper regard for the mixed architectural character of the wider locality.

#### Residential Amenity

- 6.7 The application site is flanked on the north east boundary by a newly constructed two-storey row of terrace properties. Whilst it is acknowledged that the proposed development will inevitably alter their setting and outlook, having consideration for the pattern of development in the wider locality, the single storey development is not considered to result in an unacceptable level of overlooking or overbearing impact. The orientation of the building, with all its windows facing south west ensures that the building itself will receive minimum overlooking from neighbouring properties.
- 6.8 The north east the rear of the application site abuts the rear gardens of the newly constructed terrace at number 11 Kyrle Street. However there is an existing 2.2m concrete wall which is to be maintained and a 1.8m close board fence which is to be retained. Given the modest height of the proposed development and the existing boundary treatments, there will be no material impact on the levels of residential amenity presently enjoyed by the neighbouring properties.
- 6.9 To ensure the continued satisfactory relationship between the proposed dwelling and its neighbours 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 such a degree of harm to the residential amenity of the wider locality, as to give rise to sustainable grounds for refusal in this instance. 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

#### Planning Obligation

- 6.11 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

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Further information on the subject of this report is available from Ms R Jenman on 01432 261961

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 1 April 2009, the proposed development is exempt subject to the planning permission being limited to 12 months.

Conclusion

6.12 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) (one year)**
- 2 C01 Samples of external materials**
- 3 F14 Removal of permitted development rights**
- 4 G09 Details of boundary treatments**
- 5 H13 Access, turning area and parking**
- 6 I16 Restriction of hours during construction**
- 7 L01 Foul/surface water drainage**
- 8 L02 No surface water to connect to public system**
- 9 E01 Site investigation - archaeology**

**Informatives:**

- 1 N01 Access for all**
- 2 N19 Avoidance of doubt - Approved Plans**
- 3 N15 Reason(s) for the Grant of Planning Permission**

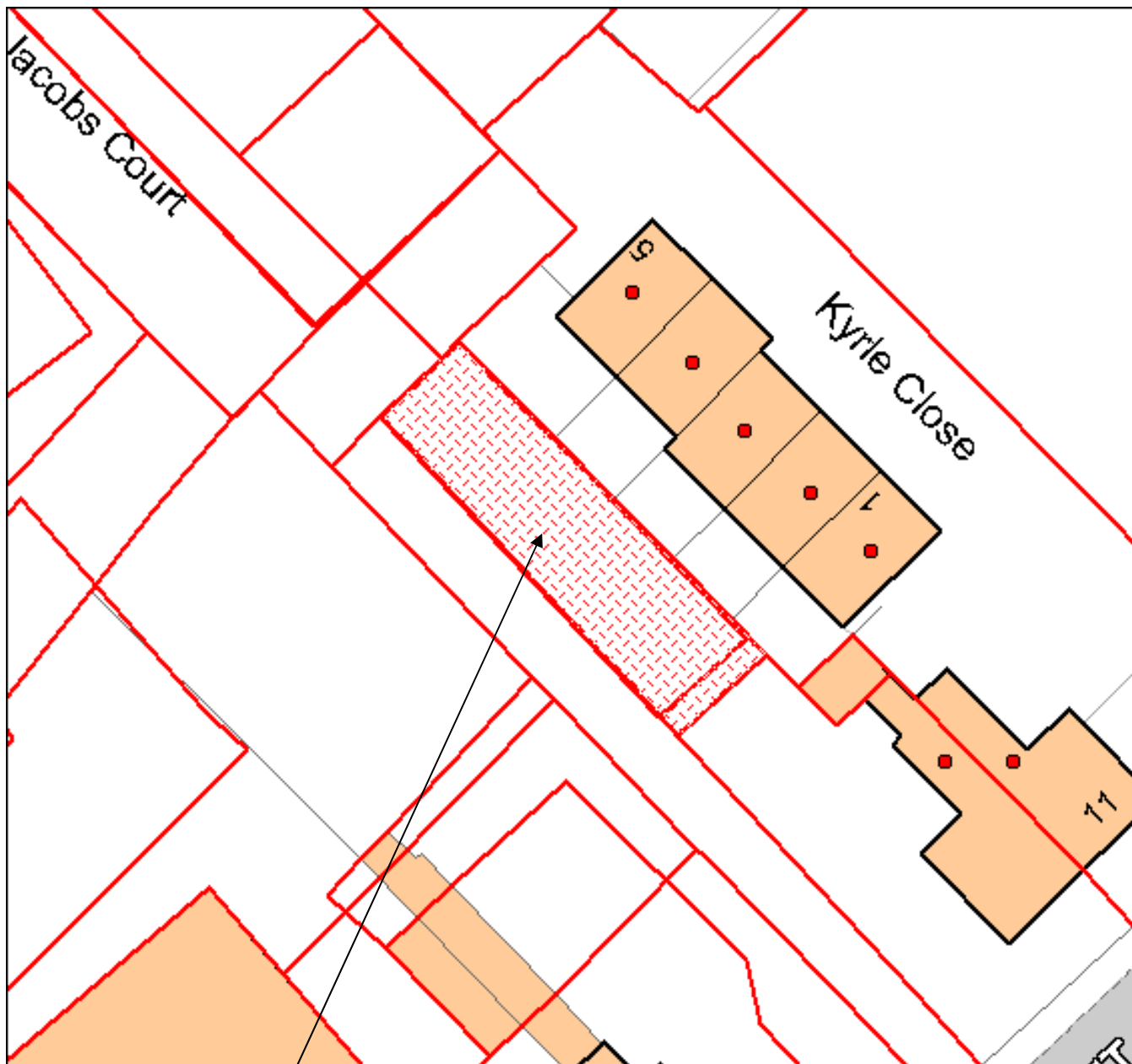
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DMCE/092625/F

**SITE ADDRESS :** LAND TO THE REAR, 9 KYRLE STREET, HEREFORD, HEREFORDSHIRE, HR1 2ET

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