

6 DCSW2003/3778/F - CONSTRUCTION OF TEN TWO STOREY DWELLINGS & ANCILLARY SITE WORKS, SUN VILLA & FORMER WORKS TO SIDE & REAR, BAZLEY LANE, PETERCHURCH.**For: Hardon Housing Association (Midlands) Ltd,
Fellows Burt Dalton Assocs Ltd, The Old Telephone
Exchange, Gipsy Lane, Balsall Common, Coventry,
CV7 7FW****Date Received: 17th December 2003 Ward: Golden Valley Grid Ref: 34600, 38592
North****Expiry Date: 11th February 2004**

Local Member: Councillor N. J. J. Davies

1. Site Description and Proposal

1.1 The site lies on the eastern side of the main thoroughfare in Peterchurch, the B4348 road. The existing entrance to the site is opposite the general store/Post Office in the village. Most of the site was formerly a plastics factory. The 0.25 hectare site borders Osbourne House on the south-eastern side for approximately 38 metres, and open field for 8/9 metres. The north-eastern boundary is shared with an electricity sub-station. The north-western boundary abuts Bazley Lane. The description of the site is given as Bazley Lane, when in effect access will be directly onto the B4348 road which entails demolishing Sun Villa which is in separate ownership.

1.2 The ten dwellings are all 3 bedroomed, and are set out in two rows. Three dwellings will front onto the B4348 behind a new pavement and railings. The seven other dwellings are sited to the rear of the former factory site having rear or north-eastern facing elevations facing towards the electricity sub-station. An acoustic barrier of 5 metres in height is proposed to the rear of this terrace of seven dwellings. Parking arrangements are provided into two areas, one area is to the rear of the three roadside fronting dwellings. Fourteen spaces are provided to the rear of the existing roadside cottages, that are between Sun Villa, that is to be demolished to facilitate the central means of access. The dwellings will be built with facing brick under a concrete tile roof.

2. Policies**2.1 Planning Policy Guidance**

PPG.1	-	General Policy and Principles
PPG.3	-	Housing
PPG.24	-	Noise

2.2 Hereford and Worcester County Structure Plan

Policy H.18	-	Housing in Rural Settlements
Policy H.16A	-	Housing in Rural Areas

- Policy CTC.2 - Area of Great Landscape Value
- Policy CTC.9 - Development Criteria

2.3 South Herefordshire District Local Plan

- Policy GD.1 - General Development Criteria
- Policy SH.6 - Housing Development in Larger Villages
- Policy SH.8 - New Housing Development Criteria in Larger Villages
- Policy SH.14 - Siting and Design of New Buildings
- Policy SH.15 - Criteria for New Housing Schemes
- Policy C.8 - Area of Great Landscape Value

2.4 Unitary Development Plan (First Deposit Draft)

- Policy H.14 - Re-using Previously Developed Land and Buildings

3. Planning History

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|-----|---------------|---|---|-------------------|
| 3.1 | SH901547PF | Storage and Distribution | - | Refused 20.05.91 |
| | SW2000/1716/O | Site for proposed residential development | - | Approved 07.03.01 |
| | SW2002/2183/F | Erection of 12 two-storey houses | - | Refused 08.04.03 |

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water have no objection on the grounds of water supply and advise that foul water and surface water discharges must be drained separately from the site. There should be no land drainage run-off into public sewerage system and no problem envisaged for treatment of downstream discharges from the site.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection subject to conditions.
- 4.3 Environmental Health & Trading Standards Officer states that the proposed acoustic barrier is acceptable.

5. Representations

- 5.1 The Parish Council make the following observations:

"Firstly, the Parish Council wish to point out that the plan is wrong in that Sun Villa and the proposed entrance are not on Bazley Lane but on the main B4348. Bazley Lane is the narrow lane to the north of the site.

The Parish Council is unable to support the proposed development for the following reason:-

- the site is too small for such a dense development in the centre of the village

- the access from, and on to, the main B4348 is in an extremely dangerous position. Ten houses are likely to have over twenty vehicles negotiating this access on to an already hazardous section of the road
- the three houses, proposed for the front of the site on the B4348, will narrow the approach of Bazley Lane and restrict the vision of vehicles entering the B4348 from the Lane
- it is proposed to deal with the surface water by soak-aways, but it is doubtful if these will be able to cope with the storm water and as a consequence will exacerbate the problems with flooding in the village
- the problem of the noise from the electricity sub-station to the rear of the site has not been addressed in detail, which was one reason that the previous application was turned down.

This proposal was considered at a Public Meeting where there were over forty members of the public present and there was an overwhelming majority against the development."

5.2 Seventeen letters of objection have been received in which the following main points are made:

- 40 to 45 people at public meeting, overwhelming opposition to scheme (cross-section of Peterchurch)
- unsightly site, however number of houses excessive
- reduction in houses (from that refused) however still 30 bedrooms, 31 bedrooms previously
- too small a space, better layout for 2000 approval indicated 6 houses, Committee and officers indicated 3/4 dwellings. Site only increased by 20% with demolition of Sun Villa
- are houses for local people who require this accommodation?
- no need for houses
- 3 sites in Peterchurch with rented accommodation, majority of occupants not local residents
- empty Council bungalow in Lewis Way for several months
- plots 1, 2 and 3 too close to road, move into site and provide parking area/open space
- affecting character of village centre
- not imaginative, better to have small green, or even mini-roundabout
- contrary to local and structure plan policies
- contrary to Peterchurch Chapter 35.6 (in South Herefordshire District Local Plan) that states that the Environment Agency object to any further development due to lack of capacity in water supply service
- low cost private housing for locals should be considered
- private sector housing better, would not devalue property
- creates ghetto environment
- welcome if more imaginative scheme possible
- recall 1999 dismissed appeal in Peterchurch. Inspector considered that there were no grounds for more housing (over provision/an imbalance in employment, no need in local community/unsustainable
- 30mph speed limit ignored
- feed lorries and Pontrilas timber lorries often meet at this pinch point
- dangerous to cross here, particularly for children who may use new entrance as playground
- accident waiting to happen here
- 20 cars will be using access point, not sure how extra traffic can be dealt with

- traffic speed will increase with removal of Sun Villa
- not 'The New House', also site layout plan omits my house, will detract from amenity of adjoining residents, planning policies should take account of visual intrusion
- 25m of my 41m boundary wall offered security and privacy for 30 years, wall varies between 7m and 3m in height
- 1.8 metres close boarded wall and trellis not acceptable
- what is happening to building behind cottage, appears to be half demolished. Wall provided security on my boundary
- plots 9 and 10 overlook my house directly, particularly 2 bedrooms, balcony and large patio doors/dining room patio doors and windows and kitchen windows. This in spite of recommendation with refused scheme
- can hear buzz at peak times of sub-station 500 yards away
- electricity sub-station still exists
- layout does not overcome environmental problems of sub-station
- few employment opportunities, need to travel out of Peterchurch, hence congestion on roadway
- flood water runs down Bazley Lane through site, how will stormwater be dealt with, soakaways as stated not possible
- drainage system facilities inadequate for existing properties in village
- in 1987 Welsh Water stated village up to capacity.

5.3 In one letter of support the following main points are raised:

- brown-field site, Government keen to see development
- some people have legitimate concerns regarding sewage and access, however some see rent-payers as beyond the pale
- improve appearance of village centre
- more children for primary school
- more customers for local trade, i.e. shop/hairdressers
- more modest properties against expensive ones being built elsewhere in village
- sad to see children of families in Golden Valley forced out. Herefordshire is after all a low wage area and has relatively high property prices

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 There are considered to be five main issues relating to the proposal and these are the form the development takes, including the need, traffic and the means of access, flooding and sewage capacity, and visual intrusion and effect on amenity.

6.2 Planning applications have to be determined on their merits with regard to the Development Plan that at present comprises the Local Plan and the Structure Plan unless material considerations indicate otherwise. This essentially covers Government advice mainly contained in Planning Policy Guidance together with case law. This is in line with Section 54A of the 1990 Town and Country Planning Act. The relevant Government advice in this instance is that contained in PPG.3 – Housing, this sets out the requirements of providing affordable housing and also when selecting sites for housing development identifying developed sites over Greenfield sites. This former factory site falls under the remit of a brown-field site on which the Government encourages housing development which makes efficient use of land (between 30 and

- 50 dwellings per hectare net) particularly on sites with good public transport connections. The previous proposal was at a higher density than the current proposal, nevertheless both developments fall within the stated range. The current proposal constitutes 30 dwellings per hectare.
- 6.3 Whether or not there is a need is not a matter that is of issue for this site in the centre of Peterchurch. The site is within the settlement boundary in the Local Plan where new development can be permitted. Planning permission granted in 2000.
- 6.4 There will be a different use of the site from the extant use that the site has at present which is for a general industrial use that has entailed HGVs entering and leaving the site utilising the existing entrance. It is considered that the revised access will, although removing parking for customers for the Post Office and general store will nevertheless bring a road safety gain to the village.
- 6.5 Welsh Water have responded positively to the proposal. They state that there is capacity for further dwellings in Peterchurch, and that surface water will have to be dealt with on site. It is not considered that there are reasonable grounds for withholding planning permission on these grounds subject to conditions recommended by Welsh Water.
- 6.6 The site has a requirement for an acoustic barrier between the north facing rear seven properties. The low frequency humming noise from the electricity sub-station requires an acoustic barrier of at least 5 metres in height. An acoustic report accompanied the previously refused application. The Council's Environmental Health and Trading Standards Officer has been involved with this issue throughout and is satisfied that if a 5 metres high acoustic fence as specified was erected there would be no objection from the Environmental Health and Trading Standards Officer. The fence would not be clearly visible from the main thoroughfare in Peterchurch. It would not detract from the amenities of the area, including views across the site from the north towards the spire of the church, the main landmark in the village given the height of machinery and apparatus comprising the electricity sub-station. Residents of the seven dwellings would either be faced with a view of the electricity sub-station and suffer the audible intrusion of the constant humming sound emanating from it or have a high fence that screens this eye-sore from view and reduces the noise irritant. It is considered on balance that the benefits of providing affordable housing with rear gardens of between 8.75 to 12 metres that would be usable by the residents, well located to local facilities outweighs the visual impact of the acoustic barrier. Also, the acoustic barrier is largely screened from view by the seven dwellings aligned in front of it. This screening overcomes one of the reasons for refusal with the previous submitted scheme.
- 6.7 A further issue is the impact that the development would have on adjoining residential properties. This is a requirement of Policies GD.1, SH.8 and SH.15 contained in the Local Plan. One of the reasons that the previous scheme for 12 dwellings was refused was that seven dwellings would be facing south-eastward towards the rear garden of Osborne House. Osborne House shares a boundary wall, at present that comprises a flank wall of one of the factory units. The previous scheme provided for a 1.8 metres high, close boarded fence on this boundary. There was also a new passage way for 5 dwellings immediately adjacent to this proposed rear boundary fence. The current scheme has no dwellings sited at right angles to Osborne House, what is proposed is a communal car parking area and further north-eastward a terrace of 7 dwellings. It is considered that a close boarded fence between Osborne House and this site needs to be replaced by a brick wall. However, this leaves the issue of visual intrusion raised by the occupants of Osborne House. Normally dwelling houses should have back to

front distances of at least 21 metres. The nearest dwelling is Plot 10 to Osborne House, which is not directly in front of the new dwelling, it is at an angle to it. This increases the nearest distance to over 25 metres which is considered to be acceptable.

6.8 There are considered to be some architectural refinements needed to the dwellings. These include the removal of half-hipping to the roofs, and the introduction of simple lean-to porches on all dwellings in the rear terrace of 7 dwellings. This would help simplify the appearance of these buildings. Also, a brick wall needs to be, as stated previously, erected between Osborne House and the site, and a screen wall on the Bazley Lane boundary instead of close boarded fencing as currently proposed.

6.9 The proposal would, with the imposition of other conditions relating to materials, and as required by Welsh Water, provide a site that complies with Government advice contained in PPG.3 – Housing, and conforms to Policies GD.1, SH.8 and SH.15 contained in the Local Plan and Policies H.16A and H.18 in the Structure Plan.

RECOMMENDATION

That subject to the receipt of satisfactory revised plans relating to house designs and boundary treatment, officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

- 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. **A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3. **B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

Informative(s):

- 1. **N15 - Reason(s) for the Grant of planning permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.