



Appeal Decision

Site visit made on 03 November 2003

by **Leonora J Rozee BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Transport,
Local Government and the Regions

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Date

17 NOV 2003

Appeal Ref: APP/W1850/A/03/1123394
26 and 28 Albert Road, Ledbury, HR8 2DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Rural Homes against the decision of Herefordshire Council.
- The application (Ref.NE2002/3901/F), dated 22 December 2002, was refused by notice dated 6 May 2003.
- The development proposed is residential development comprising 12 dwellings, access, parking and garaging.

Summary of Decision: The appeal is dismissed.

Main Issues

1. There are two main issues in this case. Firstly, whether the proposed development represents over-development of the site, out of character with the locality and, secondly, the impact of the proposal on highway safety in Albert Road.

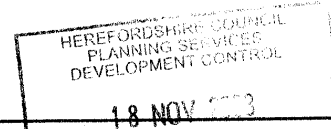
Planning Policy

2. The Council refer to 2 policies in the adopted Malvern Hills District Local Plan – Housing Policy 17 and Transport Policy 11. Housing Policy 17 sets out a number of factors which housing schemes should have regard to. Factors A) and C) are of particular relevance in this case. A) states that “*the layout and design of the proposed development should create an interesting and attractive visual environment through imaginative use of landscaping and open space*” and C) states that “*the siting and detailed design of buildings with regard to density, form, scale, height, colours and materials, should be sympathetic to the character of neighbouring buildings and to the locality*”. Transport Policy 11 of the Local Plan seeks to ensure that the environmental consequences of safely accommodating traffic on the highways are acceptable.

Reasons

Issue i – impact on character of the area

3. The appeal site comprises 2 bungalows set in spacious plots which lie within a predominantly residential area. Albert Road is characterised by a mix of house types, styles, ages and forms set in a variety of plot sizes from the relatively spacious, such as those forming the appeal site, to the very constrained where small terraced houses have no on site parking and limited space to the front of the dwellings. In my view, intensification of development on the appeal site would not, in principle, be harmful to the character of this area because of its very mixed character.



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4. However, I consider that the scale of the development proposed for this site is excessive because it would create a hard urban form which would be unsympathetic to its surroundings. Although much of the development in Albert Road comprises small high density housing, the more spacious properties such as the appeal site and the mature vegetation which they support help to create an attractive residential environment.
 5. The frontage dwellings replicate the character of the smaller dwellings in Albert Road and I see no objection to their style and layout. However the terraced form of the rear dwellings has a poor relationship to the neighbouring properties, particularly Well House which is set back into its site bringing its rear wall close to the proposed parking spaces behind Plot 12. The internal appearance of the site would be dominated by parking with limited opportunity to soften the impact of the road and parking area by imaginative landscaping. I note, in particular, that the development would lead to the loss of mature trees and established boundary vegetation which would diminish the quality of the environment in this area. Whilst I see no difficulty in principle with development in depth on this wide parcel of land, the scale of the development proposed leads to a form which would create an uninteresting and unattractive environment contrary to Policy H17(A) and it would be unsympathetic to its surroundings contrary to Housing Policy H17(C).

Issue ii – traffic impact

6. Albert Road is narrow and it has no footways. At the time of my visit there was extensive parking along the street although I observed that a significant number of properties have on site parking. Nevertheless, I note from photographs submitted by those opposing this proposal that parking is a problem in this road and that this has an impact on the ability of service vehicles to use the road. However, I do not consider that any existing parking problem in this road is a reason in itself to prevent the intensification of development on the appeal site, provided the development itself did not lead to additional on street parking in Albert Road. Any existing problems are a matter for the Highway Authority to consider. Parking for 28 cars (including 7 garages) is proposed which allows for 2 spaces per dwelling plus some visitor parking. In my view this is sufficient to prevent the development leading to additional parking in Albert Road.
 7. I note that the Council and the local residents are concerned about the impact of traffic generated by the site on highway safety in the road. However, as a result of the parking along the road traffic speeds are very low as the parked cars act as natural speed inhibitors. Thus, whilst the development would generate additional traffic movements it does not follow that these movements would result in diminished highway safety. I also note that the site is at the lower end of the road where parking on street did not seem so intensive. Traffic exiting the site and travelling south westwards onto Little Marcle Road would be less likely to encounter difficulties than those travelling north eastwards to Victoria Road.
 8. As to the impact of the proposed new junction on those living opposite the site, it is my view that their ability to access their properties might be improved as there would no longer be any roadside parking at the point of the access. The configuration of the junction should discourage parking close to it and measures could be taken to prevent on street parking to the front of Plots 8-10 if this was considered necessary.
 9. I conclude on the second issue that, whilst the traffic conditions on Albert Road are far from ideal the proposed development would not be likely to lead to significantly worse highway
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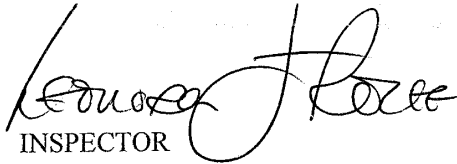
or pedestrian safety or conflict with Transport Policy 11. In this respect I note that the Transportation Officer of the Council did not object to this proposal.

Conclusions

10. My overall conclusions are that this development should not be permitted because it represents over-development of this site in conflict with Housing Policy H17(A) and (C). I looked at the new development at Leadon Place to which I was referred by the appellants. However, although the style of that development may be similar the nature and location of the site is distinctly different so I do not consider that it represents any precedent in favour of the development before me. I had also had regard to all other matters raised, particularly those raised by the local residents.

Formal Decision

11. In exercise of the powers transferred to me, I dismiss the appeal.


INSPECTOR