

**DCNE2004/0703/F - RESIDENTIAL DEVELOPMENT OF
11 DWELLINGS, ACCESS, PARKING AND GARAGING
AT 26 & 28 ALBERT ROAD, LEDBURY,
HEREFORDSHIRE, HR8 1DW**

**For: Rural Homes, 43 Hagley Road, Stourbridge, West
Midlands, DY8 1QR**

**Date Received:
26th February 2004**

**Ward:
Ledbury**

**Grid Ref:
70240, 37317**

**Expiry Date:
22nd April 2004**

Local Member: Councillor Ashton, Councillor Rule & Councillor Harling

Introduction

1. This application was reported to the Northern Area Planning Sub-Committee on 21 April. That Committee was minded to refuse the application, contrary to recommendation, for the following reasons:
 1. The proposed development is of a scale and density which would have an unacceptable impact on the character of the immediate area.
 2. The development of this site would generate levels of traffic which would result in an unacceptable impact on highway safety in the area.
2. The Head of Planning Services considered that the case for refusal advanced did not form a sustainable basis on which to defend an appeal.

The original report follows.

1. Site Description and Proposal

- 1.1 This 0.32 hectare site is located on the south western side of Albert Road, Ledbury and presently contains two bungalows, numbers 26 and 28.
- 1.2 The proposal is to demolish the two bungalows and replace with eleven dwellings. The site has a road frontage of 52m and a depth of 62m. Seven dwellings will front onto Albert Road and contain two pairs of semi-detached dwellings either side of a terrace of three. Five of the dwellings will be 2-bed and two will be 3-bed. A central access will provide access to the rear of the frontage dwellings for parking and also access to three 4-bed dwellings and one 5-bed dwelling.
- 1.3 In total 22 car-parking spaces are proposed and 4 garages.
- 1.4 The access junction will be built out into Albert Road and a footpath created across the frontage of the site.

- 1.5 Members will recall that a planning application last year was refused and an appeal dismissed for 12 dwellings on this site. (Appended to the report).

2. Policies

PPG3 – Housing

Hereford and Worcester County Structure Plan

H13 – Location of Growth
H18 – Housing in Rural Areas
T12 – Car Parking
CTC9 – Development Requirements

Malvern Hills District Local Plan

Housing Policy 1 – Land for New Development
Housing Policy 2 – Development in Main Towns
Housing Policy 17 – Residential Standards
Housing Policy 18 – Tandem Development
Transport Policy 8 – Car Parking & Service Requirement
Transport Policy 10 – para.8.13 Traffic Impact
Transport Policy 11 – Traffic Impact

Ledbury Policies

Environmental Policy 1
Housing Policy 2

Unitary Development Plan – Deposit Draft

H1 – Settlement Boundaries and Primarily Residential Areas
H9 – Affordable Housing
H13 – Sustainable Residential Design
H14 – Re-using Previously Developed Land and Buildings
H16 – Car Parking
H19 – Open Space Requirements
RST3 – Standards for Outdoor Playing and Public Open Spaces

3. Planning History

NE02/3901/F - Residential redevelopment comprising of 12 dwellings, access, parking and garaging - Refused 6 May 2003. Appeal dismissed 17 November 2003.

NE03/1891/F - Residential development comprising of 10 dwellings, access, parking and garaging - Withdrawn.

4. Consultation Summary

Statutory Consultations

- 4.1 Severn Trent observations are awaited.
- 4.2 Welsh Water raise no objections.

Internal Consultations

- 4.3 Head of Engineering recommends conditions.
- 4.4 Chief Conservation Officer raises no objection on archaeological or landscape grounds.

5. Representations

- 5.1 CPRE comment: "The current proposals are so similar to earlier proposals in respect of the density, design and layout of the houses that we can only reiterate earlier comments.

We are concerned about the traffic problem. Albert Road is narrow and has no pavements. There is much street parking. We think all additional houses would seriously exacerbate the situation and create further problems for emergency vehicles since in all likelihood there would be additional street parking.

The proposed housing development would be quite alien to the style of buildings in Albert Road. It would in our view be unattractive and obtrusive. General guidance on housing density should not, we suggest, be applied indiscriminately in an old market town with a character worth preserving.

We therefore ask the Council to refuse this application."

- 5.2 Ledbury Town Council - comments awaited
- 5.3 Ledbury & District Society Trust Ltd comment: We are writing to object to this application. We believe that the plans represent an over-development of the site, bearing in mind the restricted access to and from a narrow and busy side-road with little or no off-street parking.
- 5.4 Ledbury Area Cycle Forum – " I am writing to object to this application on grounds of access and the detrimental effect it would have on the safety of pedestrians and cyclists in the area.

The situation is unchanged since Herefordshire Council refused a previous application, number NE02/3901, for 12 dwellings on the site. As you know, this went to appeal, which found in favour of the Council's decision. Bella Johnson wrote to you on behalf of Ledbury Area Cycle Forum (LACF) to object to the former application on 13th February 2003, while I was out of the country. I wrote on 5th August 2003 to object to another application for that site, number NE03/1891F, which was subsequently withdrawn. All points made in those letters remain applicable. The Planning Inspectorate, in its decision dated 17th November 2003 to refuse the appeal on NE02/3901, stated (para. 5.) that the 'internal appearance of the site would be dominated by parking...' This appears to have been addressed by breaking up the parking areas with shrubs. However, in doing so, all parking (22 spaces and 4 garages - three less overall than previously) is effectively allocated to dwellings. In particular, parking for the rear row of four- and five-bedroom dwellings is shown within the curtilages. Therefore, if residents of a particular dwelling owned their full allocation of cars, there would be **no visitor parking** for that dwelling. This situation is most likely to arise in respect of the 7 dwellings in the front row (2 spaces each). No proposed dwelling is listed as 'affordable' in the application form: therefore it is highly likely these would each be occupied by two people, both needing to go out to work, probably in different locations, thus necessitating two cars. The Inspectorate's report relating to the NE02/3901 appeal stated (para. 6.) that it did not consider any existing parking problem in Albert Road would be a reason to refuse planning permission **'provided the development itself did not lead to additional on street parking in Albert Road'**. This revised parking arrangement would increase the likelihood of visitors' cars being parked in Albert Road, while the allocation of 2 or 3 spaces per dwelling would encourage car ownership on the site. This would result in a considerable number of extra cars using these narrow roads on a regular basis, with an increased parking problem in Albert Road itself.

Albert Road is very narrow (6.1m from the wall of number 26 to that of number 39, opposite). This is an absolute maximum width: the carriageway is somewhat less than this. The road has no pavement and is narrowed even further by parked cars, many of whose owners have nowhere else to park. This situation compromises the safety of pedestrians and cyclists, particularly children and the elderly. The Inspector's report (para. 7.) states that 'as a result of the parking along the road traffic speeds are very low'. Unfortunately, this is not always the case. I have once been forced into a gateway by a speeding car whilst on my bicycle and have witnessed such behaviour on several occasions. Others have reported similar experiences.

Both exits from Albert Road (onto Victoria Road and Little Marcle Road) have poor visibility. Victoria Road is similarly narrow and without a pavement, and is the route many residents take when going to Ledbury town centre. The alternatives are: either via the northern end of Victoria Road and Bridge Street or via the southern end of Victoria Road, Oatleys Road and Woodleigh Road to New Street. The latter is the shortest route to the closer of the town's supermarkets. Oatleys Road is narrow, has a tight double bend and is mostly without a pavement. There is a particularly narrow exit onto New Street from Woodleigh Road, where there is also no pavement. Bridge Street is too narrow for the amount of traffic it often has to take. Cyclists and pedestrians could use the Town Trail instead, but they would need to go via either Victoria Road or Little Marcle Road to reach it.

The plan view showing a pavement along the frontage of the site, with build-outs either side of the access road, is no different from previous applications. The build-outs would narrow Albert Road even more at this point. The scale of this drawing is shown as 1:200, but measurements across Albert Road taken from the drawing as drawn, compared with its actual width (6.1m absolute maximum), indicate that the drawing (as lodged in St. Katherine's) is actually no more than 1:165.

It therefore gives the impression that Albert Road is wider than it really is. Assuming the drawing is dimensionally correct *pro rata*, the build-outs would reduce the main line of Albert Road to 4.5m at most. Pinch-points such as this increase danger to cyclists.

At a time when central government is encouraging walking and cycling, and Herefordshire Council is promoting a Safer Routes to School scheme in Ledbury, this over-development and consequent increase in motor traffic would be detrimental to the whole neighbourhood. We therefore ask you to reject this application.

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If, however, Herefordshire Council sees fit to permit this development, LACF would like to know what measures the Council will take to ensure the safety of pedestrians and cyclists in the area is not compromised, including during the construction phase. Such measures could include access restrictions (ie. residents' and visitors' motor vehicles only) to affect **all** the network of roads in the area; namely Albert Road, Victoria Road, Oatleys Road and Crescent, and Woodleigh Road, and/or designate the whole area a 'Home Zone'. This would reduce the amount of through traffic that uses these roads to get to, for example, the waste reclamation site in Little Marcle Road. We suggest 'planning gain' is used to finance such measures if this application is permitted.

No form of one-way system should be considered since it would cause considerable inconvenience to all existing residents, particularly cyclists. It would also increase traffic on other roads in the network. Traffic speeds have **increased** in many cases where such schemes have been introduced elsewhere".

We request that the Council's Transportation and Highways Departments looks at all the road safety issues I have raised in this letter".

5.5 A petition signed by 88 people together with 19 letters of objection has been received, the main points raised are:

- 1) This is an overdevelopment of the site.
- 2) It will have a negative environmental impact on the existing trees and wildlife.
- 3) Will exacerbate an already difficult parking and traffic situation in Albert Road which also causes problems for refuse vehicles and ambulances and does not comply with the safety routes to school policy.
- 4) The previous application was dismissed by the Appeals Inspector and this position should be maintained.
- 5) It will not meet the needs of younger families in Ledbury who will not be able to afford these houses.
- 6) The exits from Albert Road onto Little Marcle Road and Victoria Road are dangerous and the additional units will only increase the problem.
- 7) Access to numbers 39 and 41 Albert Road opposite the site would be impacted upon and possibly not able to get cars in off the road and therefore mean that two extra cars would need to park on the road.

- 8) The proposal is contrary to Housing Policy 17 in that it will not create an interesting and attractive visual environment.
- 9) Impact of amenity/privacy with proposed dwellings subject to existing houses in Albert Road and Churchill Meadow to the rear.
- 10) They would be great stress on residents during demolition and building.

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

6. Officers Appraisal

6.1 The site lies within the Settlement Boundary for Ledbury as identified in the Malvern Hills District Local Plan and the replacement of 2 bungalows with 11 dwellings which equates to 34.37 dwellings per hectare is at the lower end of the 30 – 50 houses per hectare target laid down by PPG3.

6.2 The development also provides a mix of dwelling types from 2, 3, 4 & 5 bed terraced, semi-detached and detached dwellings.

6.3 In dismissing the previous appeal on this site the Inspector considered that there were two main criteria for the application to be considered under (i) impact and character and (ii) traffic impact.

- (i) The Inspector considered that the intensification of development was acceptable and in particular supported the manner in which the frontage development was proposed. This has been retained with this proposal. However, she was critical of the terraced units to the rear, which provided a hard urban form. This proposal has reduced the number of dwellings from five to four and they are all detached with 'fingers' of landscaping protruding in front of them. They are also slightly angled into the site but still all have rear boundaries of at least 10 metres. The parking access is still retained but in a more imaginative layout rather than the regimented form previously.

The Inspector concerns regarding the impact on Well Cottage has been noted by the applicants who have moved the parking spaces so that at its nearest point it is over two metres away compared to 0.2m. This area will now be used to form a landscape buffer.

- (ii) The Inspector acknowledged that Albert Road was narrow with no pavement but considered that the existing problems were not a reason in itself to prevent intensification of development on the appeal site provided off-street parking was provided for the new development. This proposal still maintains off-street parking for the new development. Furthermore, the Inspector considered that the existing traffic problems inhibit traffic speeds and the additional traffic would therefore not diminish highway safety. The Inspector also considered that the parking and access concerns of residents who live opposite might be improved as the new access to the development site would discourage parking and that if necessary other measures could be taken to prevent street parking.

- 6.4 It is therefore considered that the application fully addresses the concerns of the Inspector in that the hard urban form to the rear has been amended and additional land has been provided to enhance landscaping on the site. The concerns of the local residents, CPRE, LDST and Cycle Forum are noted however the proposal is considered to comply with the Development Plan and importantly the comments of the Inspector on the dismissed appeal.
- 6.5 Finally, the Inspector noted that traffic emerging from the site and travelling down hill to Little Marcle would be less likely to encounter difficulties. Members may wish to instruct the Council's Head of Engineering to consider the imposition of a one-way system for Albert Road.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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 - A06 (Development in accordance with approved plans)

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

3 - E16 (Removal of permitted development rights)

Reason: In order to clarify the terms of this permission.

4 - E17 (No windows in side elevation of extension)

Reason: In order to protect the residential amenity of adjacent properties.

5 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

6 - G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

7 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

8 - H03 (Visibility splays)

Reason: In the interests of highway safety.

9 - H06 (Vehicular access construction)

Reason: In the interests of highway safety.

10 - H11 (Parking - estate development (more than one house))

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

11 - H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

12 - H17 (Junction improvement/off site works)

Reason: To ensure the safe and free flow of traffic on the highway.

13 - H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

14 - H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

15 - The development hereby approved shall not be occupied until the footpath/pavement at the front of the site has been completed in full to the satisfaction of the local planning authority.

Reason: To ensure the satisfactory completion of the footpath/pavement.

Informatives

- 1 - HN07 - Section 278 Agreement
- 2 - HN10 - No drainage to discharge to highway
- 3 - HN17 - Design of street lighting for Section 278
- 4 - HN19 - Disabled needs
- 5 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.