

**7 DCCE2004/1826/F - PROPOSED 2 NO. 3 BED DWELLINGS LAND AT BREWERS ARMS, EIGN ROAD, HEREFORD HR1 2RU****For: SD & SL Harrison, per Mr A Last, Brookside Cottage, Knapton, Birley, Herefordshire, HR4 8ER****Date Received: 18th May 2004****Ward: Tupsley****Grid Ref: 51978, 39450****Expiry Date: 13th July 2004**

Local Member: Councillor Mrs. M.D. Lloyd-Hayes, Councillor G.V. Hyde, Councillor W.J. Walling

**1. Site Description and Proposal**

- 1.1 The application site is located within a designated Established Residential Area to the eastern end of Eign Road. The site is currently the pub garden associated with the Brewers Arms Public House. To the front of the site lies a 1 metre wall with the hedgerow above. The properties in the area are a mix of ages and housing types, with little or no off street parking. A residents' parking scheme is currently in place in the area.
- 1.2 The proposal is to erect a pair of three-bed semi-detached dwellings. The footprint of the dwelling would measure 9.5m by 8m with a porch/lobby to the rear. The dwellings would be constructed of brick with a slate roof and have a small porch canopy over the front doors that would be sited together, centrally to the front elevation. The properties would be set back from the highway by 3.6m in line with the dwelling to the west and set back slightly from the pub to the east. The area to the front of the proposed dwellings would accommodate a small front garden area and it is proposed that the existing 1m high boundary wall be rebuilt. The dwellings would also have small back gardens. The proposal does not include any provision for off road car parking.

**2. Policies****2.1 Planning Policy Guidance:**

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG13	-	Transport

**2.2 Hereford Local Plan:**

ENV14	-	Design
H3	-	Design on new residential development
H12	-	Established residential areas – character and amenity
H13	-	Established residential areas – loss of features
H14	-	Established residential areas – site factors

**2.3 Herefordshire Unitary Development Plan (Deposit Draft):**

S3	-	Housing
DR1	-	Design
H1	-	Hereford and Market Towns: settlement boundaries and established residential areas

### 3. Planning History

3.1 None relevant to this application.

### 4. Consultation Summary

#### Statutory Consultations

4.1 Welsh Water: Request that conditions relating to foul water and surface water discharge are imposed.

#### Internal Council Advice

### 5. Representations

5.1 Hereford City Council: Overintensive use of site with no on-site car parking, or street parking facilities. Poor amenity as concerns the proposed development.

5.2 One letter of objection was received on behalf of numbers 2, 3, 4, 5, 6 and 7 Scots Close that raises concerns below:

- The piece of land that currently constitutes the beer garden of the Brewers Arms Public House, which is under consideration for planning of 2 no. 3 bedroom dwellings, should be utilised for car parking for the Brewers Arms Public House and their adjoining flats, thus overcoming the parking problems which have affected the surrounding residents. This would also make it possible to turn right out of Scots Close, into Eign Road, which is nigh on impossible in the present situation (ie lengthen the double yellow lines outside the Brewers Arms Public House, so that we can safely turn right out of Scots Close). A number of accidents have occurred at the junction of Scots Close with Eign Road over the years.
- Business lettings with private housing should not be permitted in the same area.
- Increased noise, disruption and parking problems would be created by the proposed development.
- The entire situation, regarding the parking problems, makes our lives a misery and devalues the neighbourhood where we reside.
- The proposed development should not be three storey, whereby it would overlook Scots Close and the surrounding area.
- The site would be overdeveloped if this planning application was to be passed.
- With regards to safety, the current parking situation is a catastrophe waiting to happen and the council will be responsible for the next incident that occurs, if they were to pass this application.
- Scots Close is missing from the site plan of the planning application.
- The negative impact on the character of the area would turn a disaster into a calamity.
- No site notices have been posted reference the above planning application.
- Ever since the current owners of the Brewers Arms Public House purchased all the properties backing on to Scots Close, it has devalued the local area, produced parking problems, has made it increasingly difficult to turn right out of Scots Close,

whilst the general noise and disruption has made out lives a misery. This planning application has certainly been one development too many in the locality.

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

## **6. Officers Appraisal**

6.1 The issues for consideration in the assessment of this application are:

- The principle of a residential property on this site
- The layout and design of the dwelling in relation to the character of the surrounding area
- The relationship with and impact on the adjoining properties
- Highway safety and car parking provision
- Drainage.

6.2 The application site within the Established Residential Area as defined in the Hereford Local Plan. Within the Established Residential Areas new residential development can be appropriate subject to policy criteria set out in the Local Plan Policies H12-H14.

6.3 The proposed two storey semi-detached dwellings are not uncharacteristic of this part of Eign Road, which is dominated by detached, semi-detached and terraced dwellings. Although the proposal would involve the sub-division of the pub garden from the pub, the loss of this amenity facility is not cause for an objection to this scheme. The layout and siting of the dwellings has also respected the character of this part of Eign Road through setting the proposed building back by 3.6m. The introduction of the two new dwellings preserves the character of the surrounding area and respects the wider setting. The design and form of the properties also respects the character and scale of the surrounding properties.

6.4 The proposed dwellings would incorporate three bedrooms, one within the attic space, a living room, and kitchen diner, and toilet and lobby in the rear porch and bathroom upstairs. The design, fenestration and internal layout do not cause or raise any objections relating to overlooking or privacy. The neighbours have raised concern relating to overlooking from the second floor of the building. The attic room would incorporate roof lights only that would be a minimum height of 1.7m and as such unlikely to be able to look out of them directly. They will serve to allow light into the room only. Discussions have been held with the agent relating to the proposed rooflights and potential problems relating to Building Regulations. If amendments are required with relation to this, then these alterations could be incorporated into the rooflights to the front elevation to ensure that privacy is retained to the rear.

6.5 Concern has been raised from the residents of the properties to the rear of the site relating to parking. The proposed dwellings do not include any off road car parking provisions. However, the area is characterised by dwellings that rely upon on road parking, and a residents' parking scheme has been implemented in this area. In accordance with the principles of PPG3 and PPG13 and the need to encourage city centre living and the use sustainable methods of transport, it should be noted that the site is within walking distance of the town centre and bus routes. Neighbours have raised concerns due to additional cars parking on the highway and obscuring views when driving out of Scots Close. These parking bays and yellow lines have already

been designated this area will not be altered as part of this application and as such the situation will not be worsened.

- 6.6 Regarding drainage, conditions are recommended to ensure that the local sewerage system is not overloaded and to protect the health and safety of existing residents and pollution of the environment.
- 6.7 In conclusion, the proposed dwellings are in scale and keeping with the surrounding dwellings and the character and appearance of the area. There is no on site parking available, but due to the close proximity to the town centre and the residents' parking scheme, it is felt that the parking issue is not one that would uphold a refusal of this application. Having regard to the above, the application is considered to be in accordance with the policies of the Hereford Local Plan.

### **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 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 material)**

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

**4 E19 (Obscure glazing to windows)**

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

**5 E17 (No windows in side elevation of extension)**

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

**6 Foul water and surface water discharges must be drained separately from the site.**

**Reason: To protect the integrity of the public sewerage system.**

**7 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

**Reason: To prevent hydraulic overload of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.**

- 8 No land drainage run-off will be permitted, either directly or indirectly, to discharge to the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

- 9 E16 (Removal of permitted development rights)

Reason: To protect the character and amenities of the surrounding area.

**Informatives:**

- 1 HN01 - Mud on highway
- 2 HN04 - Private apparatus within highway
- 3 HN05 - Works within the highway
- 4 If connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water Development Consultants on tel: 01443 331155.
- 5 N14 - Party Wall Act 1996
- 6 N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.