

8 DCCW2004/2345/O - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF MIXED USE DEVELOPMENT COMPRISING COMMERCIAL OFFICES OR SHOPS AND 17 ONE BED FLATS AT 79-83 WIDEMARSH STREET, HEREFORD, HR4 9EU

**For: Bluebell Properties Ltd. per JBD Architects,
Mortimer House, Holmer Road, Hereford, HR4 9TA**

Date Received: 28th June 2004

Ward: Central

Grid Ref: 51040, 40349

Expiry Date: 23rd August 2004

Local Member: Councillor D.J. Fleet

1. Site Description and Proposal

- 1.1 The application site is located on the west side of Widemarsh Street between the Garrick House multi-storey car park and the Blackfriars Street junction. As identified in the existing Hereford Local Plan the site is shown as white land (no allocation) and adjoins the Central Conservation Area. The site comprises of properties 79-83 and includes a large car parking/rear courtyard area to the rear of those properties which adjoins the side of the Garrick House multi-storey car park and surface area car park. Access to the current parking area is from Blackfriars Street to the north of the site.
- 1.2 This application seeks outline planning permission for the demolition of 79-83 Widemarsh Street and the erection of a mixed use development comprising of commercial offices/shops on the ground floor and 17 one bed roomed flats to the rear. The application is submitted in outline form with all matters reserved for future consideration with the exception of access.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG6	-	Town Centres and Retail Development
PPG15	-	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan:

Policy CTC9	-	Development Criteria
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2.3 Hereford Local Plan:

Policy ENV14	-	Design
Policy ENV15	-	Access for All
Policy H3	-	Design of New Residential Development
Policy H6	-	Amenity, Open Space Provision in Smaller Schemes
Policy H7	-	Communal Open Space

Policy H8	-	Affordable Housing
Policy H23	-	City Centre Residential Accommodation
Policy CON12	-	Conservation Areas
Policy CON13	-	Conservation Areas – Development Proposals
Policy CON19	-	Townscape
Policy CON20	-	Skyline
Policy CON35	-	Archaeological Evaluation
Policy T5	-	Car Parking – Designated Areas
Policy T12	-	Cyclist Provision

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S3	-	Housing
Policy S6	-	Transport
Policy T11	-	Parking

3. Planning History

- 3.1 HC/940444/PF Demolition of 79-83 Widemarsh Street and residential development comprising of 20 flats with office for Housing Association. Refused 25/01/1995.
- HC/950074/PF Demolition of 79-83 Widemarsh Street. Residential development comprising of 17 flats with office for Housing Association. Refused 19/07/1995.
- HC970001/PF Demolition of 79-83 Widemarsh Street and replacement with 17 flats, Housing Association office and laundry facilities. Approved 20/03/1997.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water - no objection subject to conditions.

Internal Council Advice

- 4.2 Head of Engineering and Transportation - no objection subject to previous conditions being imposed.
- 4.3 County Archaeological Advisor - concern is expressed about the scale of the development although no objections are raised in principle. It is considered that an archaeological condition is required and I suggest standard condition DO1 with any forthcoming planning permission.

5. Representations

- 5.1 Hereford City Council - unsupportive of the demolition of the existing buildings which are considered worthy of retention in light of their contribution to the street scene and Conservation Area.

- 5.2 Conservation Area Advisory Committee - the Committee were very unhappy with these proposals. In principle extra shopping units are welcomed but this proposal would be detrimental to the Conservation Area. If these properties need to come down then the facade should be retained and any building then takes this into consideration. Widemarsh Street is an area so close to the city centre and has been badly affected with poor design. We welcome new build and new design but this is not the place and definitely not the design for anywhere in the city centre. Recommend refusal.
- 5.3 One private letter of objection has been received from M.R. Speak, 31 Castlefields, Leominster. Objections are raised to the demolition of 83 Widemarsh Street as it remains one of the few buildings of any architectural merit in this section of Widemarsh Street. Apart from the public library in Broad Street the Gothic frontage is unique for the city of Hereford thus adding to the variety in the street scene. The building was in fact designed in 1856 by the Diocesan Architect, Thomas Nicholson, as the Vicarage House to All Saints Church and it retained this use until it was sold in 1925.
- 5.4 A letter of support has been received from Knipe Whiting Heath Limited, 2 Blackfriars Street, Hereford who state that we are writing to inform you that we support the above planning application which we feel will significantly enhance the area. We believe there would be planning gain in this development particularly in light of the improvements being made in the Edgar Street Grid proposal.

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 As submitted this outline application indicated that only landscaping was to be a reserved matter for future consideration. Following discussions with Officers the applicant has agreed that only the means of access is for consideration at this time with external appearance, siting, design and landscaping being left for future applications.
- 6.2 Given the site's proximity to the Central Conservation Area, the Chief Conservation Officer has raised some concerns that this is an outline application and that careful consideration will be required for the design, siting and scale of any building in this sensitive location.
- 6.3 In principle the redevelopment of this site is considered acceptable in planning terms with the creation of A1/A2 uses on the ground floor fronting Widemarsh Street and 17 one bedroomed flats served by 13 car parking spaces to the rear. The development sits comfortably with adopted planning policies and the latest Government advice for city centre planning.
- 6.4 The site at present contains three buildings, all of which have 19th century origins. Nos. 79 and 81 are three storey brick buildings with hipped slate roofs. These directly adjoin the multi-storey car park and the walkway/access which is formed by the high boundary wall. No. 83 is a double fronted two storey structure in brick with a slate roof and has a design based on Gothic architecture. It is currently in commercial uses containing a number of businesses. The whole of the rear curtilage of this building is a private car park and has an access shared with other adjoining uses on Blackfriars Street.

- 6.5 In 1997 it was considered that an argument could be made for the retention of the buildings only if they were within the designated Conservation Area. It was accepted that they do have certain townscape qualities but the buildings are not considered worthy of listing. Given the Council accepted these buildings could be demolished in 1997, it would be extremely difficult to now argue their retention given that the same policies are being applied to development in this part of Hereford. Having regard to the previously approved design, Officers consider that it would be unlikely to be supported in its approved form, however clearly the site is suitable for redevelopment as set out by the application.
- 6.6 No objections have been made on access or transportation grounds with 13 car parking spaces in a courtyard area accessed from Blackfriars Street.
- 6.6 In conclusion it is considered that this outline application is acceptable to establish the principle of the development and means of access only. Any detailed scheme for reserved matters approval will need to be supported with a full townscape analysis and design statement to enable a positive enhancement and contribution to this important city centre location.

RECOMMENDATION

That outline planning permission be granted subject to the following conditions:

- 1. A02 (Time limit for submission of reserved matters (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 2. A03 (Time limit for commencement (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 3. A04 (Approval of reserved matters).**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

- 4. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.**

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

- 5. Notwithstanding the approved plans visibility splays measuring 2 metres by 2 metres from the back of the footway and along the footway in each direction shall be provided and nothing within these splays shall exceed 0.75 metres in height.**

Reason: In order to provide for the safety of pedestrians on the public footway.

- 6. **D01 (Site investigation – archaeology).**

Reason: To ensure the archaeological interest of the site is recorded.

- 7. **F18 (Scheme of foul drainage disposal).**

Reason: In order to ensure that satisfactory drainage arrangements are provided.

- 8. **F22 (No surface water to public sewer).**

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

- 9. **F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

- 10. **H29 (Secure cycle parking provision).**

Reason: To ensure the public right of way is not obstructed.

- 11. **H27 (Parking for site operatives).**

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.