

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>8 OCTOBER 2014</b>
<b>TITLE OF REPORT:</b>	<p><b>P141808/F - PROPOSED 1 NO. TWO BEDROOM BUNGALOW WITH 2 OFF ROAD PARKING SPACES AT LAND TO THE REAR OF 35 YORK ROAD, BROMYARD, HEREFORDSHIRE, HR7 4BG</b></p> <p><b>For: Mr Mason per Mr Page, The Page Swinford Partnership, Bodkin Hall, Edwyn Ralph, Bromyard, Herefordshire HR7 4LU</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=141808&amp;search=141808">https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=141808&amp;search=141808</a>

**Date Received: 16 June 2014**

**Ward: Bromyard**

**Grid Ref: 364921,254725**

**Expiry Date: 11 August 2014**

Local Members: Councillors J G Lester and A Seldon

## **1. Site Description and Proposal**

- 1.1 Planning permission is sought for a detached 2 bedroom bungalow in Firs Lane, Bromyard to the rear of 35 York Road, Bromyard. The site adjoins a public footpath on the southern boundary and a detached bungalow on the northern boundary.
- 1.2 The application site falls within the settlement boundary for Bromyard as defined under Policy H4 of the Herefordshire Unitary Development Plan. The application site is one that is at its narrowest where it adjoins Firs Lane and increases in width as it declines towards the applicant's property on York Road. The site is 5 metres wide where it adjoins Firs Lane and widens to 10.8 metres on the new eastern boundary. The site depth is 26 metres. The proposal is for a two bedroom bungalow with two off- road parking spaces and a shed suitable for secure cycle storage, sited in the north-eastern corner of the property. The bungalow will be covered by a tiled roof and faced in brick which reflects the local character of predominantly modern dwellings along Firs Lane. The boundaries adjoining the adjacent bungalow and public footpath to north and south respectively are already defined by boundary fencing. A new fence will be created to the rear of the bungalow.

## **2. Policies**

- 2.1 The National Planning Policy Framework 2012:

Paragraph 7 - Sustainable Development  
 Chapter 6 - Delivering a Wide Choice of High Quality Homes  
 Chapter 7 - Requiring Good Design  
 Chapter 8 - Promoting Healthy Design  
 Paragraph 215

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Further information on the subject of this report is available from Mr A Prior on 01432 261932

## 2.2 Herefordshire Unitary Development Plan

S1	-	Sustainable Development
S2	-	Development Requirements
S7	-	Natural and Historic Heritage
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR5	-	Planning Obligations
H4	-	Main Villages: Settlement Boundaries
H13	-	Sustainable Residential Design
H16	-	Car Parking

## 2.3 Draft Core Strategy: The following policies are relevant, however, they have limited weight due to the status of the Core Strategy and representations received.

SS1	-	Presumption in Favour of Sustainable Development
SS4	-	Movement and Transportation
SS6	-	Addressing Climate Change
HD2	-	Hereford Movement
ID1	-	Infrastructure Delivery
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
H3	-	Ensuring an Appropriate Range and Mix of Housing
SD1	-	Sustainable Design and Energy Efficiency
SD2	-	Renewable and Low Carbon Energy

## 2.4 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

## 3. Planning History

3.1 None identified

## 4. Consultation Summary

Statutory Consultees

4.1 Welsh Water: No objection subject to the imposition of conditions requiring the separation of foul and surface water drainage.

Internal Council Advice

4.2 Transportation Manager - no objection subject to details being submitted for parking area.

## 5. Representations

5.1 Bromyard and Winslow Town Council – support the application.

5.2 Two letters have been received . The content is summarised as follows:-

- Do not object but have concerns relating to obstruction during construction process given bungalow under construction two plots away.
- Like to know if proposal will affect lighting of our property

5.3 The consultation responses can be viewed on the Council's website by using the following link:-  
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

## **6. Officer's Appraisal**

6.1 The Development Plan is the Herefordshire Unitary Development Plan 2007 (HUDP). This site is wholly within the town boundary and is within reasonable walking distance of a number of facilities in the locality. Therefore, there is a presumption in favour of development. The issues relating to this proposal are the siting, the form of development, impact on adjoining property, parking facilities and obstruction of highway during construction phase.

6.2 Paragraph 14 of the NPPF confirms that where the development plan is absent, silent or relevant policies are out of date, there is a presumption in favour of granting planning permission for sustainable development unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

6.3 It is considered that it is possible to erect a detached dwelling on the plot available. This is given that the existing property and proposed dwelling will still have rear garden area of a depth consistent with the adjoining bungalow and the one under construction. The new dwelling will not materially overlook or overshadow a dwelling immediately adjacent given its siting and low ridge height. There is a need for good design in the HUDP which is reflected in the NPPF and this can be achieved. It is not considered that this is a cramped site given the provision of garden area to the side and rear of the proposed bungalow.

6.4 The form of development is consistent with a bungalow on the northern side of the property, granted approval in 2007 and again to a plot for a further low rise bungalow, to the north of that bungalow granted approval in June 2013. These dwellings have narrow frontages, private rear gardens and parking to the front adjoining Firs Lane. These are modest properties that function without adverse impacts in the locality.

6.5 The next issue relates to car parking. This can be provided subject to specifications for surfacing and drainage. Firs Lane is a no through road and, although not wide, nevertheless vehicles turning into and off the site will not have an adverse impact on highway safety given the low frequency of traffic at the western end of Firs Lane. This site is evidently a sustainable one it is not wholly car dependent and is reasonably accessible to facilities both by foot and cycle. It is noted that the Transportation Manager does not object.

6.6 Representations have been raised in relation to building works and problems of obstruction. Whilst, it is acknowledged that there could be problems given the limited access for construction vehicles this is not an unusual occurrence in relation to sites in built up areas. Conditions are proposed in respect of hours of work and construction site traffic.

6.7 The local concerns have been given due consideration. Overall, in the context of the above mentioned planning policies and other material considerations it is considered that the application site location is sustainable with regard to the NPPF in particular paragraphs 14 and 49 and therefore planning permission is recommended.

## RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission

**Reason:** To comply with the provisions of section 91(1) (b) of the Town and Country Planning Act 1990 (as amended) and to reflect the decision of the local planning authority on 4<sup>th</sup> March , 2009 to suspend (effective from 1<sup>st</sup> April, 2009) the requirements of the Authority's Planning Obligations Supplementary Planning Document (February 2008) in relation to all employment developments falling within Classes B1, B2 and B8 of the Town and Country Planning Use Classes Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, the employment element of any mixed use development and residential developments of five dwellings or less.

2. B01 Development in accordance with the approved plans
3. C01 Samples of external materials
4. H13 Access, turning area and parking
5. I 16 Restriction of hours during construction
6. I 43 No burning of materials/ substances
7. L01 Foul/surface water drainage
8. L02 No surface water to connect (either directly or indirectly) to the public sewerage system
9. L03 No drainage run-off to public system
10. H27 Parking for site operatives
11. Secure cycle storage shall be provided in accordance with submitted plans before first occupation of the dwelling and shall be retained to the satisfaction of the local planning authority

**Reason:** To ensure that there is adequate cycle storage accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

## INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**2. Welsh Water Advice:**

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652.

Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The Welsh Government have introduced new legislation that will make it mandatory for all developers who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW). The Welsh Ministers Standards for the construction of sewerage apparatus and an agreement under Section 104 of the Water Industry Act (WIA)1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW.

Welsh Government introduced the Welsh Ministers Standards on 1 October 2012 and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with use at the earliest opportunity. Further information on the Welsh Ministers Standards is available for viewing on our Development Services Section of our website - [www.dwrcymru.com](http://www.dwrcymru.com)

Further information on the Welsh Ministers Standards can be found on the Welsh Government website - [www.wales.gov.uk](http://www.wales.gov.uk)

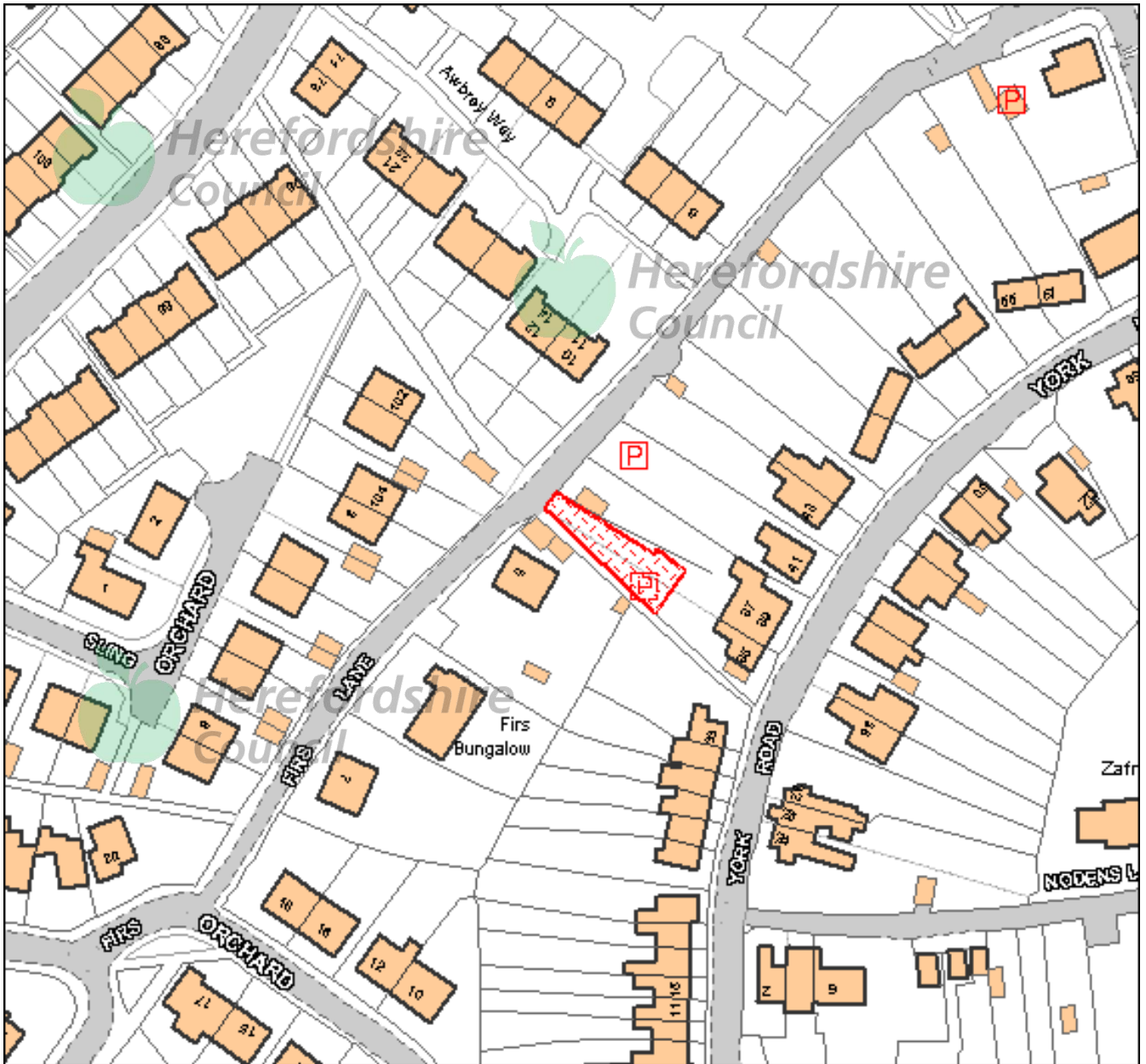
- 3. **HN4 Private Apparatus within Highway**
- 4. **HN5 Works within the Highway**
- 5. **HN28 Highways Design and Specification**

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** 141808/F

**SITE ADDRESS :** LAND TO THE REAR OF, 35 YORK ROAD, BROMYARD, HERFORDSHIRE, HR7 4BG

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