

**12 DCCE2004/2089/F - ERECTION OF THREE LINKED DWELLINGS FRONTING HARRISON STREET LAND TO THE REAR OF 71 ST OWEN STREET, FRONTING HARRISON STREET, HEREFORD, HEREFORDSHIRE, HR1 2JQ**

**For: Mr. S. Philips, per Mr. G. Bacon, Brownings Acre, Whitehouse Lane, Alfrick, Worcester, WR6 5HE**

**13 DCCE2004/2090/L – ERECTION OF THREE LINKED DWELLINGS WITH ARCHED ACCESS TO REAR AT LAND TO THE REAR OF 71 ST OWEN STREET, HEREFORD, HR1 2JQ**

**For: Mr. S. Philips, per Mr. G. Bacon, Brownings Acre, Whitehouse Lane, Alfrick, Worcester, WR6 5HE**

**Date Received: 10th June 2004**

**Ward: Central**

**Grid Ref: 51418, 39781**

**Expiry Date: 5th August 2004**

Local Member: Councillor D.J. Fleet

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

- 1.1 The application site comprises a 0.026ha parcel of land that lies to the rear of the Listed 71 St Owen Street (Archways Health and Fitness) and the dwellings fronting Harrison Street. The site is accessed via Harrison Street and is currently used for car parking.
- 1.2 The proposal is for the erection of three dwellings (1 x 2 and 2 x 1 bed), which would span from the existing three storey building to the south and to the two storey dwellings to the north. The dwellings would be three storey, but incorporating dormer windows to the second floor, introducing a drop in height by 900mm in comparison to the adjacent three storey building. The development also incorporates an arched vehicular access leading through to a car parking area with full spaces available to residents. The proposal is of a traditional nature, utilising brick with a slate roof. Two chimneys have also been introduced into the design.
- 1.3 The application, as originally received, raised a number of design and highway issues. After detailing these concerns a revised scheme was submitted for our consideration. This addressed the issues raised in relation to fenestration, detailing, chimney detailing, access width, and gate design. As such we are now considering the amended design.

## 2. Policies

### 2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
- PPG3 - Housing
- PPG13 - Transport
- PPG15 - Planning and the Historic Environment

### 2.2 Hereford and Worcester County Structure Plan:

- CTC5 - Development affecting Archaeological Sites
- CTC13 - Buildings of Special Architectural or Historic Interest
- H2B - Location of Housing (General)

### 2.3 Hereford Local Plan:

- ENV14 - Design
- CON2 - Listed Buildings – development proposals
- CON12 - Conservation Areas
- CON13 - Conservation Areas – development proposals
- CON14 - Planning Applications in Conservation Areas
- CON18 - Historic Street Pattern
- CON19 - Townscape
- CON35 - Archaeological Evaluation
- CON37 - Other Sites of Archaeological Interest
- CON39 - Enhancement
- H23 - City Centre Residential Accommodation

### 2.4 Herefordshire Unitary Development Plan:

- S1 - Sustainable Development
- DR1 - Design
- DR2 - Land Use and Activity
- H1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
- H2 - Hereford and the Market Towns: Housing Land Allocations
- H13 - Sustainable Residential Design
- H16 - Car Parking
- HBA4 - Setting of Listed Buildings
- HBA6 - New Development within Conservation Areas
- ARCH1 - Archaeological Assessments and Field Evaluations
- ARCH7 - Hereford AAI

## 3. Planning History

- 3.1 None relevant to this application - relates to Change of Use/Pub and Fitness Centre.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water has no objection but recommends conditions be included.

Internal Council Advice

## 4.2 Head of Highways and Transportation makes the following comments:

The relocation of the access to the centre of the drive now provides adequate visibility of pedestrians approaching from either direction. Visibility of traffic from the access and access width were never an issue, as this was, and remains satisfactory.

## 4.3 Head of Conservation makes the following comments: The proposed amended plans appear to have addressed all the points raised in regard to the previous application. The proposal is therefore acceptable. Materials and joinery subject to approval. There are potentially major archaeological implications to this proposal. The application site is within the designated Hereford Area of Archaeological Importance, and is furthermore within the scope of the city defender and associated historic features. I would therefore advise, in accordance with PPG16 Sections 20-22, and the adopted Hereford Local Plan Policy CON35, that the applicant submit the results of an archaeological evaluation of the site. The application should not be determined until such results have been made available. Further archaeological measures may be necessary.

**5. Representations**

## 5.1 Hereford City Council have no objection to this application.

## 5.2 Two letters of representation have been received from Mrs. Sant, owner of No. 12 Harrison Street and Mr. &amp; Mrs. N. &amp; B. Carter Jones, 14 Harrison Street. The comments are summarised as follows:

- There were originally a terrace of dwellings between my property and No. 2 which I believe matches Nos. 12, 14 and 2. The design submitted, although higher, I believe still reflects the existing character of the street.
- The original dwellings would have had some private amenity space but is now taken up with car parking. Added to this is the recent conversion of the rear storage building into residential accommodation making the need for private amenity space more necessary.
- I note that no 1/500 block plan was deposited with the application and that from the larger scale floor plans my boundary wall appears to be straight. My deed plans show that I own all of the front and back wall projections and chimney breasts in this wall and it is not a party wall.
- Concerned that any foundation requirements may undermine the foundations to my gable wall. I would appreciate details of how this is to be achieved.
- Concerned that the additional sewage and rainwater discharging into the sewer will result in my drain becoming permanently blocked.
- The applicant states that the new dwelling is a repair/replacement of the original frontage to Harrison Street, this is a false statement as numbers 12 and 14 Harrison Street were originally part of a terrace and looking at old photographs of the area it seems that this new proposed dwelling is too high in relation to the existing buildings of 12 and 14. The dwelling proposed has an extra floor and because of this it is taller than any original buildings in that section of road.
- Another point not taken into consideration in the design of the dwelling is that if it were constructed with the higher roof as proposed this end of the house adjacent to number 12 Harrison Street received considerable heavy weather and is the prevailing side for all storms. As the new proposals have a small gap between the

new and the existing this could cause considerable damp and water ingress problems for No. 12 Harrison Street.

- The new proposed dwellings have only 4 parking spaces to cover 3 new dwellings and the existing 2 dwellings plus the parking for the fitness centre.
- Harrison Street has a very restricted access from St Owen Street and this often causes near accidents with pedestrians.
- The proposed development is on a site of great archaeological importance as pointed out to us when we recently visited a display in Gaol Street of archaeological finds in Harrison Street when the current building known as Linden Villas was constructed it was apparent at this display that an ancient Roman road passes under the cellars of 14 Harrison Street and the car park of the fitness complex.
- The houses 12 & 14 Harrison Street have cellars and the original houses where the car park is had cellars and this will mean that the proposed development will need to have the original cellars excavated and then refilled prior to construction. This work will seriously undermine the foundations of 12 Harrison Street and could adversely affect both 12 & 14 Harrison Street.
- The height of this proposed building will seriously darken a street that already has limited light.
- To summarise on the above points we believe the dwellings will be imposing, darken the street, create a haven for drug dealing and street drinking, cause drainage and sewer problems, do not constitute a replacement or restoration of the original street view, could cause damage to archaeological remains and would have a serious impact on the already overburdened parking in Harrison Street.

5.3 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 main issues for consideration in the assessment of this application are:

1. The principle of a residential development on this site.
2. The design and impact of the development on the character of the conservation area and setting of the adjacent listed buildings.
3. The relationship with and impact on the adjoining properties.
4. Archaeology.
5. Highway safety and car parking provision.
6. Drainage.

6.2 The site lies within the central area of Hereford City. Residential development within such area can be supported in relation to PPG3 (housing) and Policy H23 of the Hereford Local Plan supports and encourages residential development in such areas provided that the proposal is in also in accordance with the relevant conservation and other policies of the local plans.

- 6.3 The proposed three storey dwellings follow a traditional form, following the historic street frontage. The design and height of the proposed development successfully forms the transition between the two storey dwellings to the north and three storey property to the south. Four dormer windows have been inserted into the roof at the same level as the adjoining three-storey building. As such the street side elevation has a simple symmetry and alignment that respects the adjoining buildings. To the rear, the revised plan has incorporated some additional windows and openings (high level or obscure glazed) as well as brick detailing. This has improved the external appearance of the building from the originally submitted scheme and as such it is now considered that the design of the proposed development would preserve the character and appearance of the conservation area and respect the setting of the adjacent listed buildings.
- 6.4 The owners of the neighbouring properties raise a number of concerns relating to the way in which the buildings meet. These issues, whilst material planning considerations could be overcome with the submission of amended plans and discussion with both parties. As such it is recommended that this issue is raised with the agent / applicant prior to permission being granted and the plans amended accordingly. Notwithstanding this the proposed development would not have an adverse impact on the amenities of the neighbouring properties or the locality.
- 6.5 The application site could potentially have archaeological implications and as such it will be necessary for the applicant to undertake some archaeological investigations prior to the granting of permission. As such, it is recommended that Members consider the recommendation as below. This will allow for the applicant to continue with the archaeological investigation with the confidence that should the investigations prove successful, permission will be granted subject of any other conditions deemed necessary.
- 6.6 The development provides access to the site through an arch. This is a single width access with a 1m footpath on either side. The gate is shown to the rear of this arch to allow cars to pull safely off the road. There are no objections to this access. Within the application site provision has been made for 4 off road car parking spaces which is sufficient for such a development and will help to prevent indiscriminate parking on the highway.
- 6.7 Regarding drainage, conditions are recommended to ensure that the local sewerage systems are not overloaded and to protect the health and safety of existing residents and pollution of the environment. Welsh Water raise no objection to the additional connections.
- 6.8 In conclusion, the proposed dwellings are in scale and keeping with the surrounding dwellings and area, preserving the character and appearance of the street scene, conservation area and setting of the listed buildings. There will be no adverse impact on the neighbouring properties. On site parking is sufficient with a safe access onto Harrison Street. Having regard to the above, the application for the proposed dwellings is considered to be in accordance with the policies of the Hereford Local Plan. The outstanding issues of archaeology and accuracy of plans in relation to the adjoining neighbours property require attention prior to the formal issue of a decision but Members are requested to pass authority to delegate authority to officers after these issues have been successfully addressed.

**RECOMMENDATION:**

**With respect to DCCE2004/2089/F:**

**That subject to the completion of initial archaeological investigations and submissions and the receipt of amended plans in relation to the neighbouring property, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by Officers:**

**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 B01 (Samples of external materials)**

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

**3 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.**

**4 G04 (Landscaping scheme (general))**

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

**5 G05 (Implementation of landscaping scheme (general))**

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

**6 E16 (Removal of permitted development rights)**

**Reason: [Special Reason].**

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

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

**8 F16 (Restriction of hours during construction)**

**Reason: To protect the amenity of local residents.**

**9 W01 (Foul/surface water drainage)**

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

**10 W02 (No surface water to connect to public system)**

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

**11 W03 (No drainage run-off to public system)**

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

**Informatives:**

**1 N03 - Adjoining property rights**

**2 N14 - Party Wall Act 1996**

**3 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.**

**3 N15 - Reason(s) for the Grant of PP/LBC/CAC**

**With respect to DCCE2004/2090/L:**

**That subject to the resolution of all matters with regard to DCCE2004/2089/F Officers be authorised to issue Listed Building Consent subject to the following conditions and any additional conditions considered necessary by officers:**

**1. C01 (Time limit for commencement (Listed Building Consent)**

**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.