

**8 DCCE2005/1501/F - DEMOLITION OF EXISTING DWELLING AND ERECTION OF 7 APARTMENTS WITH ASSOCIATED CAR PARKING. MIDWAY HOUSE, FIR TREE LANE, ROTHERWAS, HEREFORD, HEREFORDSHIRE, HR2 6LA**

**For: Pontrilas Developments, Collins Engineering Limited, Unit 5 Westwood Industrial Estate, Pontrilas, Hereford, HR2 0EL**

**Date Received: 6th May, 2005**

**Ward: Hollington**

**Grid Ref: 52706, 38079**

**Expiry Date: 1st July, 2005**

Local Member: Councillor W.J.S. Thomas

**1. Site Description and Proposal**

1.1 The site is located north of the B4399, known as the Straight Mile within Rotherwas Industrial Estate. Occupying the site is a detached two storey dwelling in a relatively delapidated condition set within mature and overgrown gardens. Immediately west of the site are offices, north is a day nursery and childcare unit and east is an industrial unit. The site fronts on to the Straight Mile beyond which are further industrial units set back from the road. The site falls within land designated as Rotherwas Industrial Estate within both the South Herefordshire District Local Plan and the Herefordshire Unitary Development Plan (Revised Deposit Draft) and also lies within the Flood Plain (Flood Zone category 2).

1.2 The proposal is for the demolition of the existing dwelling and the construction of a new three storey building constructed from a brick plinth with render above under a plastic coated aluminium double curved roof. Two two-bedroom flats will be created at ground and first floor with three one-bedroom flats at second floor, seven residential units in total. A new access is to be created with improved visibility along with 10 parking spaces and associated vehicle maneuvering area and a communal garden.

**2. Policies**

2.1 South Herefordshire District Local Plan:

- GD1 - General Development Criteria
- C44 - Flooding
- SH14 - Siting and Design of Buildings
- SH15 - Criteria for New Housing Schemes
- T1A - Environmental Sustainability and Transport
- T3 - Highway Safety Requirements
- T4 - Highway and Car Parking Standards

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- S1 - Sustainable Development

S2	-	Development Requirements
S3	-	Housing
S6	-	Transport
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR7	-	Flood Risk
DR13	-	Noise
H1	-	Hereford and the Market Towns: Settlement boundaries and established residential areas
H13	-	Sustainable Residential Design
H14	-	Re-using Previously Developed Land and Buildings
H15	-	Density
H16	-	Car Parking
T6	-	Walking
T7	-	Cycling

### **3. Planning History**

3.1 No history.

### **4. Consultation Summary**

#### Statutory Consultations

4.1 None required.

#### Internal Council Advice

4.2 Traffic Manager: I suggest that a 2 metre wide footway is provided along the frontage of the site to link in with the existing 2 metre wide footways either side. The access should also be relocated towards the eastern boundary of the site to avoid conflict with the right turn lane into Netherwood Road, secure covered cycle storage should also be provided.

4.3 Industrial Estates Officer: No comment.

4.4 Economic Development Manager: Comments awaited.

4.5 Environmental Health and Trading Standards Manager: The applicant has adequately addressed potential concerns about the effect of traffic noise on the proposed flats. I consider that traffic noise is likely to be the predominant noise source in this position. Although the application site is in close proximity to a trading estate, I do not consider that nearby uses are likely to give rise to sufficient nuisance from noise or other pollution to preclude the proposed use. I am mindful that the proposed flats would replace an existing residential use.

### **5. Representations**

5.1 Lower Bullingham Parish Council: As this is a domestic dwelling and in poor condition the Parish Council has no objections. However, we would point out that access on to the B4399 is dangerous and care needs to be taken to get this as safe as possible.

5.2 Two letters of objection have been received from T. Barrow, Managing Director, Tomhead Ltd, Ramsden Road, Rotherwas and C.F. Brooks, Director, LUK Aftermarket Services Ltd, Holme Lacy Road, Rotherwas. The main points raised are:

- We consider the location to be totally inappropriate for residential dwellings as the apartments would be bounded on three sides by industrial units with shift work in operation;
- Development would result in increased vehicle movement with access on to a busy road opposite a main junction to an Industrial Estate which would present a significant highway safety hazard;
- The nearest bus stop is on the opposite side of Holme Lacy Road while the nearest safe pedestrian crossing is some 300 metres further to the north. The previous occupant of the site sadly died whilst attempting to cross the road from the bus stop;
- There are substantial trees along the boundary of the site which should be protected if permission is approved;
- Future expansion of our business may be restricted if the development is approved due to the potential impact of noise on the occupants of the flats;
- Rotherwas is supposed to be an Industrial Estate and potential obstacles such as this can only be detrimental to the future development of Rotherwas;
- The Council should purchase the small number of residential properties which exist within Rotherwas as they become available in order to avoid this type of problem.

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 This application presents a rather unusual situation in that the site falls within Rotherwas Industrial Estate and consequently, is allocated for employment purposes. However, the site has a lawful residential use due to the existing dwelling, which occupies the site. In view of this the principle of residential development on the site is acceptable notwithstanding the development plan allocations. The existing dwelling has not been occupied for some time and is in a dilapidated condition. There is therefore no objection to its demolition.

6.2 The proposed new development would occupy a similar footprint to the existing dwelling (15.7 metres by 10.5 metres) but is to be full three storey in height (10 metres). The development is also proposed to be sited nearer the north western corner of the site to allow for sufficient parking and garden area to be created. The site is large enough to accommodate the scale of dwelling proposed in terms of its footprint and height. Furthermore, relatively large industrial units adjoin the site and therefore the additional height would not appear unduly prominent in the locality particularly if the boundary trees and hedges are retained. The materials, form and design of the development reflect the industrial character of the area and are considered acceptable.

6.3 A new access with improved visibility along with the satisfactory level of parking is to be provided although amended plans are awaited to identify the access in a different position as requested by the Transport Manager. The applicant has also agreed to widen the footpath to 2 metres for the full frontage of the site in order to provide a safer and more user friendly route for pedestrians. There is a bus stop no more than 100 metres away which will provide the occupants of the flats the option of using public

transport. Although there is no dedicated crossing point to this bus stop, the Traffic Manager raises no objection to this from a pedestrian safety point of view.

- 6.4 Environmental Health raise no objection to the possible impact of neighbouring land uses or possible disruption arising from road traffic noise for the occupants of the new flats. However, it should be noted that this is only on the basis that the site has a lawful residential use. The site lies within a flood plain and is categorised as Flood Zone 2 Area. Within such zones the need for a Flood Risk Assessment is at the discretion of the local planning authority. The applicants have been advised that it may be in their interest for a flood risk assessment to be undertaken but given the location of the site, is not mandatory in this instance.
- 6.5 The proposal represents a higher density residential development on a brown field site, which both adopted and forthcoming development plan policies support in principle. Furthermore, the site is sustainable not only in terms of the availability of public transport but also in terms of its location in relation to an employment base. Although Environmental Health raise no objection, the potential disruption to the amenity of the occupants of the flats as a result of noise from neighbouring land uses and the adjoining road is a concern. As such a condition requiring details of the measures to mitigate against noise in the design of the building is recommended.
- 6.6 Therefore, subject to the additional details and amended plans requested by the Traffic Manager concerning the revised access and cycle storage being provided the proposal is considered acceptable in accordance with the relevant development plan policies.

## **RECOMMENDATION**

**Subject to receipt of suitably amended plans addressing the Traffic Manager's comments, 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 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 B01 (Samples of external materials)**

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

**4 F01 (Scheme of noise attenuating measures)**

**Reason: To safeguard the amenity of the area.**

**5 G01 (Details of boundary treatments)**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

**6 G10 (Retention of trees)**

**Reason: In order to preserve the character and amenities of the area.**

**7 Any conditions recommended by the transport manager upon receipt of amended plans.**

**8 Prior to the demolition of the existing dwelling on site, details of the method and site for the disposal of the waste materials arising from the demolition of the dwelling shall be submitted to and agreed in writing with the local planning authority. The demolition and disposal of the waste materials shall be carried out in accordance with the approved details.**

**Reason: To ensure the appropriate disposal of waste materials.**

**Informatives:**

**1 N15 - Reason(s) for the Grant of PP Local Plan.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.