

**9A DCCE2005/2356/F - CONSTRUCTION OF 16 NO. RESIDENTIAL UNITS, ASSOCIATED CARPARKING AND LANDSCAPING. CARFAX HOUSE SITE, AYLESTONE HILL, HEREFORD, HR1 1HX**

**For: I E Developments Ltd, Warren Benbow Architects,  
21 Mill Street, Kington, Herefordshire, HR5 3AL**

**9B DCCE2005/2330/C - DEMOLITION OF CARFAX HOUSE AND ASSOCIATED BUILDINGS, REPLACEMENT RESIDENTIAL DWELLINGS, CARFAX HOUSE SITE, AYLESTONE HILL, HEREFORD, HR1 1HX**

**For: I E Developments Ltd, Warren Benbow Architects,  
21 Mill Street, Kington, Herefordshire, HR5 3AL**

**Date Received: 18th July, 2005      Ward: Aylestone      Grid Ref: 52170, 40729**

**Expiry Date: 12th September, 2005**

Local Members: Councillors D.B. Wilcox and A.L. Williams

**1. Site Description and Proposal**

- 1.1 These applications relate to a proposed development involving the demolition of Carfax House and Carfax Cottage, and the erection of 16 residential units with associated car parking and landscaping.
- 1.2 The application site is in a corner location on the junction between Aylestone Hill and Folly Lane. Carfax House is assessed to have an early 19<sup>th</sup> Century core which was extended and altered in the Victorian period and underwent remodelling during the 20<sup>th</sup> Century. The site is also home to Carfax Cottage, a red brick building of more modest scale located adjacent to Carfax House running down Aylestone Hill, as well as, three demountable structures. The site is located within the designated Aylestone Hill Conservation Area. Neither Carfax House, nor Carfax Cottage, are Listed Buildings. The last use of the site was for educational purposes in association with Hereford College of Technology. The site falls within the Established Residential Area as defined by both the Hereford City Local Plan and the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 1.3 This proposal involves the erection of a four storey apartment building on the site of Carfax House (14 units total), and a three storey pair of townhouses in place of Carfax Cottage (two units total). The design concept of the proposed new development is contemporary and is characterised by the extensive use of glazing and white render. The existing demountable buildings will be removed and a parking area created, including garaging, refuse storage area, and covered cycle parking. The existing parking facilities found to the south of the site will be removed and additional open

space formed. The proposal also involves the stopping up two of the existing three access points with the access currently found between the House and Cottage enhanced to serve the proposed development. The existing site is notable for the fine trees currently found in situ.

## 2. Policies

### 2.1 Planning Policy Guidance:

PPS1	-	Delivering sustainable development
PPG3	-	Housing
PPS9	-	Nature Conservation
PPG13	-	Transport
PPG15	-	Planning and the historic environment
Circular 6/98	-	Planning and affordable housing
Circular 5/05	-	Planning obligations

### 2.2 Hereford Local Plan

ENV14	-	Design
ENV16	-	Alterations and extensions
H3	-	Design of new residential development
H6	-	Amenity open space provision to smaller schemes
H8	-	Affordable housing
H12	-	Established residential areas - character and amenity
H13	-	Established residential areas - loss of features
H14	-	Established residential areas - site factors
CON1	-	Preservation of buildings of architectural and historic interest
CON12	-	Conservation areas
CON13	-	Conservation areas - development proposals
CON16	-	Conservation area consent
CON17	-	Conservation area consent - condition
CON19	-	Townscape
CON20	-	Skyline
CON21	-	Protection of trees
CON22	-	Urban forestry management
CON23	-	Tree planting
NC6	-	Criteria for development proposals
NC8	-	Protected species
T5	-	Car parking - designated areas
T11	-	Pedestrian provision
T12	-	Cyclist provision

### 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S4	-	Employment
S6	-	Transport
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity

DR3	-	Movement
DR4	-	Environment
DR5	-	Planning obligations
H1	-	Hereford and the market towns: settlement boundaries and established residential areas
H2	-	Hereford and the market towns: housing land allocations
H9	-	Affordable housing
H13	-	Sustainable residential design
H14	-	Re-using previously developed land and buildings
H15	-	Density
H16	-	Car parking
E5	-	Safeguarding employment land and buildings
T7	-	Cycling
T11	-	Parking provision
LA5	-	Protection of trees, woodlands and hedgerows
LA6	-	Landscaping schemes
NC1	-	Nature conservation: biodiversity and development
NC5	-	European and nationally protected species
NC6	-	Biodiversity action plan priority habitats and species
NC8	-	Habitat creation, restoration and enhancement
HBA6	-	New development within conservation areas
HBA7	-	Demolition of unlisted buildings within conservation areas
HBA8	-	Locally important buildings
HBA9	-	Protection of open areas and green spaces

### 3. Planning History

- 3.1 DCCE2004/0475/O Partial redevelopment of College Campus to provide new learning village. Approved 12th August, 2005.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Water Authority – No response received
- 4.2 Environment Agency – No objection raised

#### Internal Council Advice

- 4.3 Conservation Manager –

**Landscape and Trees:** The majority of the trees on the site are now protected by Tree Preservation Order 523. The reasons for making the order were that '*the trees identified within the order collectively contribute to the amenity and setting of Aylestone Hill Conservation Area, Aylestone Hill, Venns Lane and Folly Lane. The Council considers it expedient to protect the amenity of these trees as a precautionary matter in response to general development pressure*'. There are no objections to the proposed redevelopment of the site. The siting of the buildings has clearly been informed by information in the submitted Tree Survey & Pre-development Arboricultural Assessment. The new housing and car parking areas are sited largely on the existing footprint of built development and do not impinge on the nominal tree protection zones identified on the Tree Location Plan. The Yew tree (T35), which it is proposed to

remove, is identified in the survey as being of negligible value. The Arboricultural Consultant's assessment that the proposed removal of hardsurfacing and decompaction of the soil, from underneath the Atlas Cedar (T5), would be beneficial to the health of the tree and would enhance the landscape setting is concurred with. No objections subject to conditions.

**Conservation Area:** *'Carfax House would appear to have an early 19<sup>th</sup> Century core, which was later extended a number of times in the Victorian period and also underwent a number of remodelling during the 20<sup>th</sup> century. It is not considered to be of any particular architectural merit, is not worthy of listing and almost all the internal fittings of interest have been lost except the main staircase, which is clearly of a high quality.'*

*Within Conservation Areas we would recommend the retention and conversion of important historic buildings of local interest. However in this specific instance the number and quality of the extensions and alterations have severely compromised what may have at one time been an architecturally interesting building. They appear to have been added without any particular consideration for the composition of the original building. It would have been expected that the original building faced onto Aylestone Hill but with the extensions it would appear that an attempt was made to have the façade facing the grounds towards the college. Unfortunately this has not been as successful as would have been hoped as it appears that the needs of space and possibly cost outweighed any design consideration during this time. Internally the building has been almost completely gutted over time and there are no surviving features of interest apart from the principal staircase. In this case given a lack of architectural merit we would therefore consider whether the proposed new building would enhance the conservation area. We believe that the proposed building would enhance the character of the conservation area. The architecture relates and responds to its context of surrounding mansions in terms of scale/ mass and picks up the rhythm and pattern of the coach house - principal house to the Aylestone Hill façade. The design is contemporary, interesting and relates to the surroundings in contrast to Carfax House's mish-mash of competing styles which fails to relate to either Aylestone Hill or the planted grounds. Although the design appears to be challenging we would hope that having seen examples provided by the architect of similar schemes that this would provide an interesting juxtaposition within the streetscape, which would provide visual interest to the area. It would also be highlighted that this would be a low-density high quality contemporary development unlike other development schemes proposed for conservation areas. In our opinion the most important aspect of this site is the landscape rather than the building itself. This consists of a number of important mature trees to the south of the site and would therefore shield this building from views of Aylestone Hill. These trees would appear to be enhanced by the proposed scheme with the removal of the car park, which would increase the soft landscaped. We believe that this proposal would enhance the conservation area and therefore is acceptable. Materials subject to approval. A photographic recording of Carfax House and the Coach House should be deposited with the Herefordshire Council's SMR prior to work commencing. We would recommend the salvaging of the high quality stair case.'*

- 4.4 Traffic Manager – No objection subject to conditions. Recommended that planning contribution should be sought at £1500 per unit.

## **5. Representations**

- 5.1 Hereford City Parish Council –

DCCE2005/2356/F: *'Hereford City Council has considered this planning application and considers that the style of the proposed development is inappropriate to the location, being a gateway site to the city.'*

DCCE2005/2330/C: *'Hereford City Council has considered this application and cannot support the application'*

5.2 Conservation Area Panel – *'This panel deplored the loss of what had been a first class Victorian Manor House. To leave it in its present state would not be any help. Developers had done well to design the new property and parking within the existing footprint. Approve.'*

5.3 West Mercia Police – A comment has been received expressing concern over the proposed access point and suggesting that a new access located further north would be desirable.

5.4 Local Residents – Twelve letters of objection have been received against this proposal. The points raised can be summarised as follows:

1. Precise nature of the development is unclear;
2. The development does not fit in with the adjacent residential buildings;
3. Unacceptable impact upon highway network and junction;
4. Inadequate parking provision, existing parking area to the south should be retained;
5. Inappropriate location for affordable units;
6. Environmental pollution caused by vehicles;
7. Yew tree to be removed should be retained;
8. The development of this site with detached dwellings would be more appropriate;
9. Proposal is excessive in height;
10. Increase in vehicular movement;
11. Trees on site should be protected;
12. Design is inappropriate and unacceptable;
13. Site should be retained by the College;
14. Carfax House should be converted into flats;
15. Demolition of Listed Building within the Conservation Area;
16. Loss of locally important building;
17. Architectural styling proposed is inadequate;
18. Loss of lights and privacy;
19. Adverse impact upon the Conservation Area.

Reference was also made in a number of these letters to two letters printed in the Hereford Times.

5.5 A single letter of support has also been received raising the following points:

1. Development will provide good quality accommodation;
2. Existing buildings on site are unsightly and appear to be in a poor state of repair;
3. The building is not Listed as is claimed;
4. Development is thoughtful, taking great care of the environment and existing trees;
5. We will end up with more garden area than now;

6. The access/egress will be improved;
  7. This is an imaginative development.
- 5.6 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 It is considered that the following issues represent the main considerations in these applications:
1. Principle of development;
  2. Density and affordable housing provision;
  3. Demolition of existing buildings;
  4. Design and scale;
  5. Residential amenities;
  6. Highway issues;
  7. Landscaping, trees, and ecology;
  8. Visual amenities and impact upon Conservation Area.

### Principle of Development

- 6.2 The application site was last used for educational purposes, however, the site falls within the defined Established Residential Area and as such it is considered that a residential use is not contrary to planning policy. Hereford City Local Plan Policies H14 and H13 advise that residential development within the Established Residential Area should resolve a number of issues relating to highways, amenities, design and layout, density, landscaping, visual impact, and impact upon the character and amenity of the area. This stance is echoed in Herefordshire Unitary Development Plan (Revised Deposit Draft). The property no longer forms part of the proposed College redevelopment as signified through its sale. On the basis of this it is considered that the fundamental principle of this development can be accepted with the acceptability or otherwise of this scheme dependent upon the details of this proposal.

### Density and Affordable Housing Provision

- 6.3 The proposal seeks permission for a development of 16 units on site in the region of half a hectare in size. This represents a density of approximately 32 dwellings to the hectare. PPG3 identifies 30 – 50 hectares as an appropriate density for development. This development is therefore at the lower end of this spectrum, however, having regard to the location of the site within a Conservation Area, as well as, in consideration of the generally low-density nature of the locality, the proposed density level is considered acceptable.
- 6.4 Turning to the provision of affordable housing on this site, this scheme does not currently propose an allocation of such a housing type. Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy H9 states that a target of 35% affordable units will be required in developments for 15 dwellings or more. It is of note, however, that adopted planning policy contained within the Hereford City Local Plan states only that a reasonable mix of housing will be encouraged with affordable housing particularly encouraged. On the basis of this it is considered appropriate to turn to national guidance contained within PPG3 and Circular 6/98. National guidance advises that affordable housing in locations such as this should be provided for development on sites of 1 hectare or more, or 25 dwellings. In consideration of this,

and the current un-adopted nature of the emerging Herefordshire Unitary Development Plan, it is considered that the provision of no affordable element in this scheme is acceptable in this instance.

#### Demolition of Existing Buildings

- 6.5 A number of objections received commented on the unacceptability of the demolition of the existing buildings on site, and in particular, Carfax House itself. The first point to stress is that Carfax House is not a Listed Building (nor is Carfax Cottage) as has been suggested by some. Notwithstanding this, the application does involve the demolition of a prominent building within a Conservation Area. The Conservation Manager has fully investigated the buildings on site, both inside and out, and the conclusion reached was that the buildings are not worthy of Listing. Furthermore, the extent of the alterations made to Carfax House is such that the building is assessed as having no particular architectural interest. The Conservation Manager advises that within a Conservation Area the retention and conversion of historic buildings of local interest is recommended, however, this building is judged to have been severely compromised. In this instance it therefore considered that the demolition of the existing buildings on site can be supported subject to the proposed development being of a high standard of design.

#### Design and Scale

- 6.6 The proposed development is notable in its contemporary design approach. The apartment block and semi-detached pair are characterised by their cubic proportions which use large areas of glazing and white render to give a modern and crisp appearance. The upper level in both buildings is heavily glazed to reduce the apparent massing of the buildings and enhance the lightweight and contemporary feel. The Aylestone Hill Conservation Area is typified by large properties in large plots and this is considered to be reflected in this proposal. The scale of the proposals is such that the dominant on site feature will be the trees currently found on site, and this is considered to be an appropriate approach. The sizing of the proposal is considered acceptable having regard to the college buildings, hospital building, and aforementioned properties which typify this locality. The design is considered to be of a high standard that would enhance this site and will form a high quality gateway building of the standard requisite for this landmark location.

#### Residential Amenities

- 6.7 The sole direction of concern in relation to residential amenities is the North/Northeast where Aylestone Grange a modern suburban cul-de-sac development of residential properties is found. The proposed semi-detached pair have no large habitable openings of note in this direction and in relation to these neighbouring dwellings it is considered that the existing landscaping and the distances involved (35 metres between the apartment building and neighbours at the closest point) are adequate to ensure an acceptable relationship between these sites. The college buildings are 25 metres at their closest point which is considered more than adequate having regard to the use of this building. It is considered that the use of this site for residential purposes will not cause disruption or disturbance of residential amenities to an unacceptable degree beyond that of the previous use of this site for educational purposes.

Highway Issues

- 6.8 The application site is currently served by three access points. The proposal involves the stopping up of the two most southerly access points, with the third improved to provide the required visibility splay and access specifications. The Traffic Manager has evaluated the access and confirms that it is in accordance with highway safety requirements. It is considered that the access point identified for retention is the most appropriate and acceptable. 24 parking spaces will be provided on site, conforming to the 1.5 per unit requirement specified in the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft). This ratio is considered appropriate having regard to the central location of this development site and the ready access to the main Hereford public transport interchanges at the bottom of Aylestone Hill. In relation to the intensity of use, the Traffic Manager has evaluated the existing and proposed vehicles movements and it has been concluded that no intensification of traffic will result from this proposal over the previous on site activities. The closure of the two accesses nearest the roundabout is seen as *'very beneficial'*.
- 6.9 Notwithstanding the above, the Traffic Manager has requested a planning contribution of £1500 per unit. Particular mention has been made of the provision of a pedestrian crossing point. This is line with the draft guidance currently being developed by the Forward Planning Manager. The guidance currently advises that contributions should be sought, but refusal to provide one will not form grounds for refusal unless the lack of improvements to be funded from the contribution would make the overall development unacceptable in highway terms. It is therefore concluded that in this instance a contribution would be desirable, however, as the development represents an improvement of the existing on site situation through access enhancements and no intensification of vehicle movements, such a contribution cannot reasonably be insisted upon. It must be remembered that planning obligations are a method through which to secure improvement that will result in a development being acceptable when it would otherwise not be. The following is taken from Circular 05/2005 (bold as per original):

*'In dealing with planning applications, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of **planning conditions** (see Department of the Environment Circular 11/95) or, where this is not possible, through **planning obligations**. (Where there is a choice between imposing conditions and entering into a planning obligation, the imposition of a condition is preferable (see paragraph B51). **Planning obligations** (or "s106 agreements") are private agreements negotiated, usually in the context of planning applications, between local planning authorities and persons with an interest in a piece of land (or "developers"), and **intended to make acceptable development which would otherwise be unacceptable in planning terms**. Obligations can also be secured through unilateral undertakings by developers. For example, planning obligations might be used to **prescribe** the nature of a development (e.g. by requiring that a given proportion of housing is affordable); or to secure a contribution from a developer to **compensate** for loss or damage created by a development (e.g. loss of open space); or to **mitigate** a development's impact (e.g. through increased public transport provision). The outcome of all three of these uses of planning obligations should be that the proposed development concerned is made to accord with published local, regional or national planning policies.'*



This development will not otherwise be unacceptable in planning terms if the requested planning contribution is not secured, indeed it will represent an enhancement. Planning gain for highway improvements/works cannot therefore be reasonably insisted upon.

- 6.10 In this instance, however, in full knowledge of the above, the developer has volunteered a contribution of £500 per unit (total £8000) towards highway improvements, specifically towards the provision of a new pedestrian crossing point.

#### Landscaping, Trees, and Ecology

- 6.11 The County Arboriculturalist and Landscape Officers have been involved in this scheme from an early stage. This development site is particularly notable for the fine trees currently found. The presence of these trees informed the nature of this development from the earliest point and this is reflected in the fact that the majority of the trees on site are now protected by a Tree Preservation Order, as well as the fact that only a single tree on site (a Yew assessed by the County Arboriculturalist as being of negligible value) is to be removed. The development has taken careful regard of the valuable trees on site. As with the highway situation, it is considered that in relation to landscaping and trees this application represents an enhancement of the site. The existing parking area to the South of Carfax House is to be removed and re-landscaped and this will be beneficial to the health of the adjacent trees. The footprint of the new development is as currently found on site and the design concept is based around the maintenance of the existing trees on site as the dominant visual form. In relation to trees and landscaping on site it is therefore considered that this application represents an acceptable form of development, subject to conditions.

- 6.12 Turning to ecology, the potential for bats in Carfax House has been identified. As a protected species, the potential for bats has necessitated an ecological survey to ensure that this development has regard to this protected species and mitigates against any potential impact.

#### Visual Amenities and Impact Upon Conservation Area

- 6.13 Having regard to the comments relating to trees, landscaping, design and scale above, it is considered that this development represents an acceptable form of development within this designated Conservation Area that will not only preserve, but also enhance, the character and appearance of this area. It is recognised that the Aylestone Hill Conservation Area has some fine architecture and buildings of historical note, it is also the case that this site is flanked by a modern hospital and college developments, as well as suburban residential developments to the north and south of no outstanding merit. The proposed development is considered to be of a high design standard but in this context particularly it is suggested that this development will represent a major enhancement to the visual amenities of the locality.

#### Conclusion

- 6.14 The sensitive nature of this site is recognised, however, in this prominent gateway site this development is considered to represent a high quality scheme that will form an impressive gateway building of modern architectural design that will enhance this entranceway to the City.

**RECOMMENDATION**

That, subject to the implications of the ecological survey and addition of any subsequently required revisions and conditions, as well as, the securing of the aforementioned planning obligation, Conservation Area Consent and Planning Permission be approved 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 A09 (Amended plans)**

**Reason: To ensure the development is carried out in accordance with the amended plans.**

**4 B01 (Samples of external materials)**

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

**5 E08 (Domestic use only of garage)**

**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**

**6 E09 (No conversion of garage to habitable accommodation)**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

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

**Reason: In the interests of maintaining the special architectural value of this development.**

**8 E18 (No new windows in specified elevation)**

**Reason: In the interests of maintaining this special architectural value of this development.**

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

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

**10 F39 (Scheme of refuse storage)**

**Reason: In the interests of amenity.**

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

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

**12 G02 (Landscaping scheme (housing development))**

**Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.**

**13 G03 (Landscaping scheme (housing development) - implementation)**

**Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.**

**14 G16 (Protection of trees covered by a Tree Preservation Order)**

**Reason: To ensure the proper care and maintenance of the trees.**

**15 G17 (Protection of trees in a Conservation Area)**

**Reason: To ensure the proper care and maintenance of the trees.**

**16 G18 (Protection of trees)**

**Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.**

**17 H06 (Vehicular access construction)**

**Reason: In the interests of highway safety.**

**18 H08 (Access closure)**

**Reason: To ensure the safe and free flow of traffic using the adjoining County highway.**

**19 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.**

**20 H27 (Parking for site operatives)**

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

**21 H29 (Secure cycle parking provision)**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**Informatives:**

- 1 NC01 - Alterations to submitted/approved plans
- 2 HN01 - Mud on highway
- 3 HN04 - Private apparatus within highway
- 4 HN05 - Works within the highway
- 5 HN10 - No drainage to discharge to highway
- 6 N15 - Reason(s) for the Grant of PP/LBC/CAC

**Hereford Local Plan:**

**DCCE2005/2330/C**

- 1. C01 - (Time limit for commencement (full permission) )  
Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2. Prior to the commencement of demolition, a photographic recording of Carfax House and Carfax Cottage shall be deposited with the Council in accordance with details to be agreed prior the conducting of said recording.  
Reason: In the interests of maintaining a record of the history and development of this site

**Informatives:**

- 1. N03 – (Adjoining property rights)
- 2. It is advised that the staircase in Carfax House is of a high quality and it would be desirable for this to be salvaged. Please do not hesitate to contact the Conservation Manager on 01423 261950 to discuss this matter further.
- 3. N15 - Reason(s) for the Grant of PP/LBC/CAC

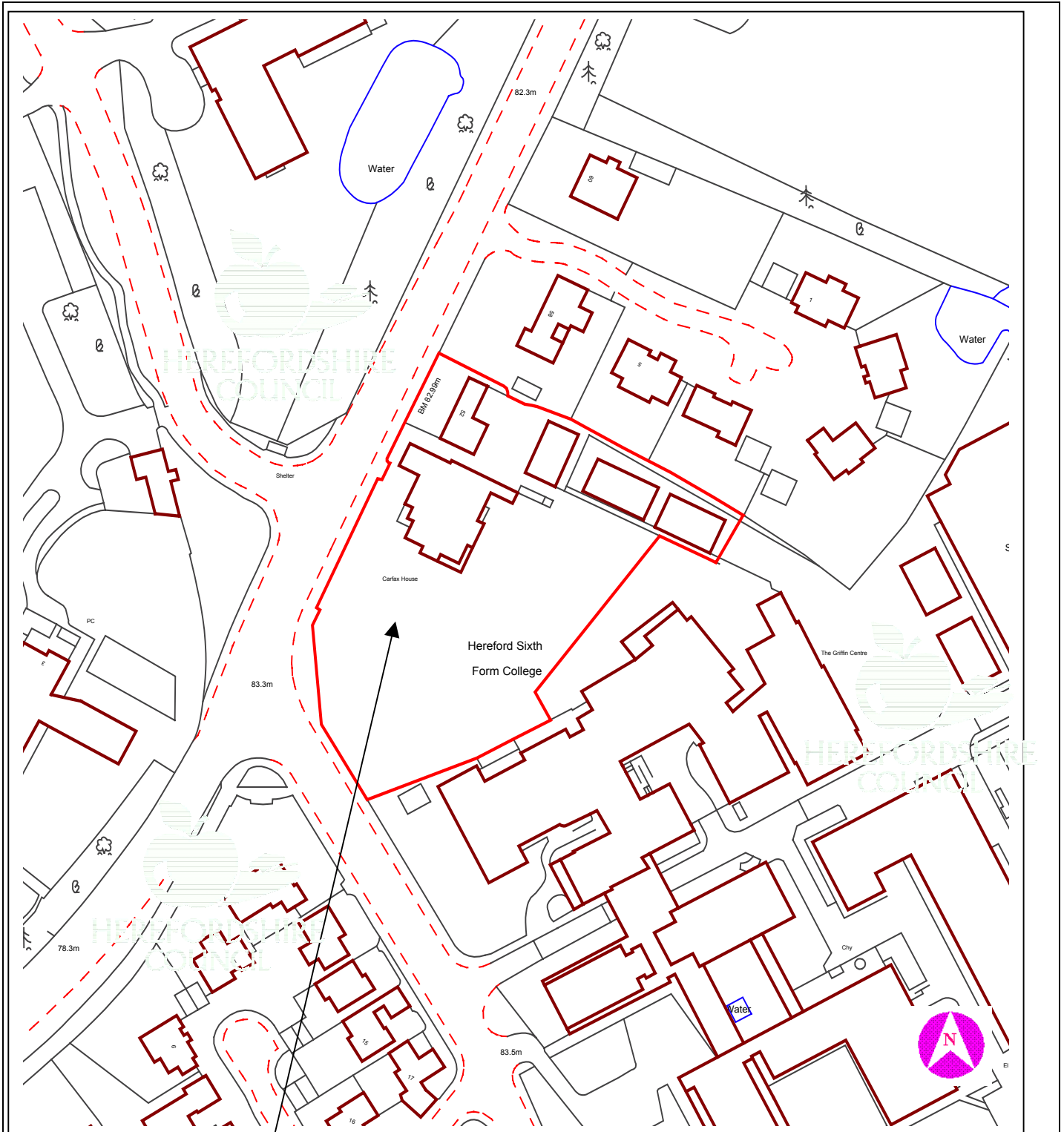
Decision: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2005/2356/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Carfax House site, Aylestone Hill, Hereford, Herefordshire, HR1 1HX

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