

11 DCCE2005/2799/F - TWO STOREY DWELLING AND WIDENING OF ACCESS LAND ADJACENT TO 51 LINGEN AVENUE, HEREFORD, HR1 1BY**For: Mrs. J. Cole, 51 Lingen Avenue, Hereford, HR1 1BY****Date Received: 24th August, 2005 Ward: Aylestone Grid Ref: 51568, 41019****Expiry Date: 19th October, 2005**

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

1. Site Description and Proposal

- 1.1 The site is located on the northern side of Lingen Avenue near the junction with Geoffrey Avenue in an Established Residential Area in the northern half of the city. A detached two storey pitched roof dwelling occupies the eastern part of the site, alongside which this is a detached two car garage with the remainder of the site being set out to domestic garden comprising various ornamental trees with a Leylandi hedge along the roadside boundary. Surrounding the site to the west, north and south are existing detached/semi-detached properties.
- 1.2 Planning permission is sought for the construction of a two storey four bedroom dwelling proposed to be constructed from rendered walls under a pitched slate roof. The dwelling would occupy the western half of the site and would entail the demolition of the existing garages along with the widening of the existing vehicular access to create sufficient parking to serve both the existing and the proposed dwelling. The application has been brought before the Central Area Planning Sub-Committee as the applicant holds a politically restricted post.

2. Policies**2.1 Hereford Local Plan:**

ENV14	-	Design
H3	-	Design of new residential developments
H12	-	Established residential areas – character and amenity
H13	-	Established residential areas – loss of features
H14	-	Established residential areas – site factors

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport
DR1	-	Design
H1	-	Hereford and the market towns: settlement boundaries and established residential areas

H2	-	Hereford and the market towns: housing land allocations
H3	-	Managing the release of housing land
H13	-	Sustainable residential design
H14	-	Reusing previously developed land and buildings
H16	-	Car parking

3. Planning History

3.1 None identified.

4. Consultation Summary

Internal Council Advice

4.1 Traffic Manager: No objections subject to conditions concerning the provision of parking.

5. Representations

5.1 Hereford City Council: No objection.

5.2 Two letters of objection have been received from Mrs. D. Baker, 47 Lingen Avenue and Mr. & Mrs. Marshall, 24 Lingen Avenue. The main points raised are:

- Inadequate parking is proposed;
- The development will infringe upon the privacy and devalue neighbouring property;
- The parking arrangements will entail vehicles reversing into or off the highway causing danger to pedestrian and highway safety;
- The increased traffic from the development will adversely affect the residential amenity of the area.

In response to the letters of objection the applicant comments as follows:

- The parking provided meets current highway standards and the parking arrangement will be no less hazardous than with other properties in Lingen Avenue.
- There will be no increased in loss of privacy.

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 The proposal is for the sub-division of the existing curtilage into two plots and the construction of a detached four bedroom dwelling. The site lies within the Established Residential Area as identified in the Hereford Local Plan and as such the principle of residential development on the site is acceptable having regard to both local and national planning policy. The primary issue for consideration is therefore whether the scale, siting and design of the dwelling proposed is appropriate for the site in terms of its impact on the character of the area and on the amenity of adjoining properties.

- 6.2 The composition of properties in the locality is varied ranging from relatively large detached houses set within large plots to modestly sized bungalows. As such the principle of a further two storey dwelling would not be out of character with the general pattern of development in the area. Furthermore, the dwelling is to be set back behind both of the properties either side, which will create a relatively subservient appearance in the street scene. The proposed dwelling is to be sited close to both the existing and proposed boundaries to the east and west and consequently the development will appear slightly cramped. However, this relationship is again, not uncharacteristic for the area in terms of distances between existing and proposed dwellings.
- 6.3 The primary concern with the application is therefore the impact of the development on the amenity of the neighbouring properties. The impact on No. 47 Lingen Avenue will be limited due to the siting and the fact there are no habitable room windows overlooking the site. A window is proposed in the dwelling serving the landing area but this could be obscure glazed and fixed if the proposal is deemed acceptable. The proposed rooflights will essentially overlook the roof of the adjoining property and therefore again, there will be no loss of privacy through overlooking.
- 6.4 However, the impact on the amenity enjoyed by No. 51 will be significant. Whilst this is the applicant's existing property the consideration of the application should be confined to land use planning matters. No. 51 presently has habitable room windows at ground and first floor overlooking the application site. The proposed new dwelling would be 4.8 metres from these windows, some of which are the only means of light to the rooms. The construction of a two storey side wall with a roof above within such close proximity to these windows will have a significant impact on the amount of daylight and sunlight received within these rooms. This situation is unacceptable. However, the fact the property affected by the proposed development is owned by the applicants means that the impact can be overcome through alterations to their existing dwelling. It would be necessary for the ground and first floor windows serving the lounge and bedroom to be removed, a single storey rear extension to be demolished and new opening(s) formed in the rear elevation of the dwelling overlooking the garden. This would effectively remove any unacceptable window-to-window relationships and ensure the impact on the amenity for existing and future occupiers of the existing dwelling is minimised.
- 6.5 The concerns of objectors are noted but the Traffic Manager raises no objection to either the parking provision or increased vehicular movements. Subject to amended plans being submitted in time for Sub-Committee identifying the above alterations, the proposal is therefore considered acceptable. If satisfactory amended plans are not received, the application cannot be supported.

RECOMMENDATION

Subject to the receipt of suitably amended plans, 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. A09 (Amended plans)**

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

3. B01 (Samples of external materials)

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

4. G01 (Details of boundary treatments)

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

5. E16 (Removal of permitted development rights)

Reason: To enable the local planning authority to control any future enlargement of the dwellings or development within their curtilage in the interests of residential amenity.

6. E18 (No new windows in specified elevation)

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

7. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

8. H09 (Driveway gradient)

Reason: In the interests of highway safety.

9. H10 (Parking – single house)

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

10. F48 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

Informatives:

- 1. HN01 - Mud on Highway**
- 2. HN04 – Private apparatus within highway**
- 3. HN05 – Works within the highway**
- 4. HN10 – No drainage to discharge to highway**
- 5. N15 – Reason(s) for the Grant of PP.**

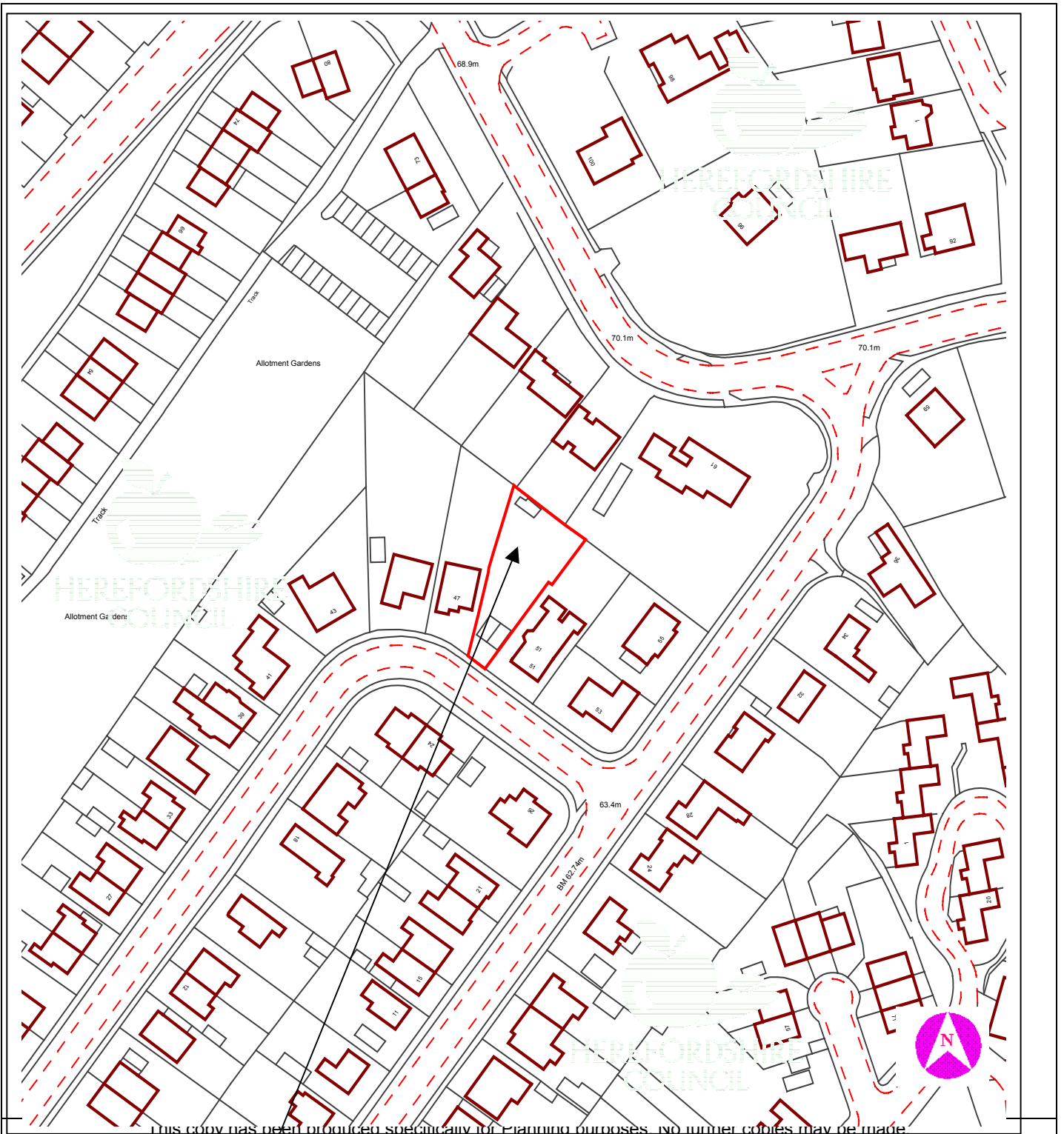
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2005/2799/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to 51 Lingen Avenue, Hereford, Herefordshire, HR1 1BY

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