

11 DCCE2005/3153/F - 4 NO. 2-STOREY DETACHED HOUSES LAND WEST OF OVERBURY HOUSE, OVERBURY ROAD, HEREFORD, HR1 1JE**For: Mr. R.C.H. Davies, Nicholas Price & Frances Morrow, 45 North Bar, Banbury, Oxon, OX16 0TH****Date Received: 30th September, 2005 Ward: Aylestone Grid Ref: 52194, 41142****Expiry Date: 25th November, 2005**

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

1. Site Description and Proposal

- 1.1 This application seeks permission for the erection of four detached dwellings on land associated with Overbury House, Hereford. The application site currently forms garden area associated with Overbury House and is approximately 0.46 hectares in size. The site is principally grassed with a relatively dense mixture of trees and shrubs surrounding the area on all boundaries. The application site lies within the Aylesone Hill Conservation Area and the site falls inside an Established Residential Area of Hereford. Of further note is the site's location on the Tupsley Ridge as delineated in the Hereford Local Plan.
- 1.2 The proposal involves the erection of four 'arts and crafts' style dwellings with associated double garages. Units 1 - 3 consist of 4 bedroomed properties, while Unit 4 is a five-bedroom dwelling. All are two storey with a finish in a mix of brick and render. A new access point through the existing stone boundary wall running along Overbury Road is to be created to serve the development.

2. Policies**2.1 Planning Policy Guidance:**

- PPS1 - Delivering sustainable development
- PPG3 - Housing
- PPG15 - Planning and the Historic Environment

2.2 Hereford Local Plan:

- ENV14 - Design
- H3 - Design of new residential development
- H6 - Amenity open space provision in smaller schemes
- H12 - Established residential areas - character and amenity
- H13 - Established residential areas - loss of features
- H14 - Established residential areas - site factors
- CON12 - Conservation areas
- CON13 - Conservation areas - development proposals
- CON14 - Planning applications in conservation areas
- CON21 - Protection of trees
- CON23 - tree planting

- CAL17 - Aylestone Ridge/Tupsley Rdige
T5 - Car parking - designated areas

2.3 Herefordshire Unitary Development Plan:

- S1 - Sustainable development
S2 - Development requirements
S3 - Housing
S6 - Transport
S7 - Natural and historic heritage
DR1 - Design
DR2 - Land use and activity
DR3 - Movement
DR6 - Water resources
H1 - Hereford and the market towns: settlement boundaries and established residential areas
H15 - Density
H16 - Car parking
T11 - Parking provision
LA5 - Protection of trees, woodlands and hedgerows
LA6 - Landscaping schemes
HBA5 - Designation of conservation areas
HBA6 - New development within conservation areas
HBA9 - Protection of open areas and green spaces

3. Planning History

- 3.1 None identified.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.
4.3 Conservation Manager: No objection subject to conditions.

5. Representations

- 5.1 Hereford City Council: No objection but expressed concern 'at the poor natural drainage within the development site'.
5.2 Local Residents: Six letters of objection have been received from the following sources:
- N.H.P. Briggs, 2 Lugg View Close, Hereford
 - M. Martin, 5 Overbury Road, Hereford
 - D. Haworth, 1A Overbury Road, Hereford (x2)

- M. Tucker, 1 Norton Cottages, Grafton, Hereford - on behalf of 1A Overbury Road, Hereford
- J. Scriven, 5 Overbury Road, Hereford.

The objections raised can be summarised as follows:

- Unacceptability of new access point due to loss of tree and impact upon visual amenities of the locality;
- Additional traffic generation;
- Strip of land associated with the existing access point of Lugg View could be used inappropriately for vehicle access or undesirable garden development.

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 key matters for consideration in this application:

- Principle of development;
- Density;
- Design and scale;
- Conservation Area, Tupsley Ridge, and visual amenities;
- Residential Amenities;
- Highway Issues.

Principle of Development

6.2 Hereford Local Plan Policies H14 and H13 advise that residential development within the Established Residential Area is appropriate but 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). 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

6.3 National Policy Guidance contained within PPG3, together with Policy H15 of the emerging Herefordshire Unitary Development Plan advise that a minimum of 30 dwellings to the hectare should be pursued. In this instance the application seeks to develop the site at a density of slightly below nine dwellings to the hectare. Clearly this is substantially below the minimum, however, it is further advised in the supporting text of Policy H15 that on sites below one hectare, whilst densities should be maximised, the effect of site factors and constraints make guidelines inappropriate. In this case the location of this site within a Conservation Area, and on the line of the sensitive Tupsley Ridge, necessitate flexibility and it is considered that, in this context, the proposed density is appropriate and acceptable.

Design and Scale

- 6.4 The proposed dwellings are relatively substantial detached dwellings with an 'art and craft' design concept. In the context of Aylestone Hill it is considered that the scale of these dwellings is appropriate. The design of the properties has regard to the character and appearance of the locality and is considered to represent a sensitive form of development. The design of these dwellings is informed by the constraints of the area, having particular regard to the Conservation Area and Tupsley Ridge designations.

Conservation Area, Tupsley Ridge and Visual Amenities

- 6.5 The sensitive nature of this site and locality has been noted previously in this report. This application site falls along the line of the identified Tupsley Ridge as identified in the adopted Hereford Local Plan. The site also falls within the Aylestone Hill Conservation Area. Extensive pre-application discussion took place prior to the submission of this application with significant input from both Conservation and Landscape Officers. The site has extensive landscaping around the site boundaries and the dwellings, though relatively substantial in scale, have low ridgelines to ensure a minimal intrusion into the views of the City from the east. The low density of the development ensures that the development is appropriate within the Conservation Area. The creation of a new opening in the existing stone wall will allow for safe access and egress to the site and is sited in accordance with advice offered by the Traffic Manager. The creation of this access point is not considered problematic having regard to the character and appearance of the locality. The tree loss from this development will be confined to the new access point, and this is not considered to be of concern by the Landscape Officer. The site will remain well landscaped and screened. It is considered that the visual amenities of the locality will be maintained through this development. The character and appearance of the Conservation Area and Tupsley Ridge will be preserved through this development.

Residential Amenities

- 6.6 The siting and layout of this development, together with the landscaping on site, will ensure that the residential amenities of the locality are preserved. Privacy and overbearing impact resulting from this proposal will be wholly within acceptable limits. The sole area of concern is the small access strip to the west of the application site. This currently provides access to the site but it does offer the potential for disturbance to the dwellings to the north and south if inappropriately managed. To that end it is proposed to remove Permitted Development Rights and restrict vehicular access on this area in the interests of the residential amenities of the locality. The use of the new access point will not result in a detrimental impact upon residential amenities.

Highway Issues

- 6.7 The proposed access point raised no objection from the Traffic Manager, who was involved in the identification of this access at the pre-application stage. The traffic generation from these dwellings will not result in unacceptable congestion issues and the access itself will be conditioned to ensure full compliance with the necessary standards in the interests of highway safety.

RECOMMENDATION

That planning permission be granted 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 B03 (Matching external materials (general))

Reason: To ensure the satisfactory appearance of the development.

3 E08 (Domestic use only of garage)

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

4 E09 (No conversion of garage to habitable accommodation)

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

5 E16 (Removal of permitted development rights)

Reason: In the interests of the amenities of the locality.

6 F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

7 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

8 H08 (Access closure)

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

9 H11 (Parking - estate development (more than one house))

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

10 G02 (Landscaping scheme (housing development))

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

11 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.

12 G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

13 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.

14 W01 (Foul/surface water drainage)

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

15 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.

16 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 N01 - Access for all**
- 2 N03 - Adjoining property rights**
- 3 HN01 - Mud on highway**
- 4 HN05 - Works within the highway**
- 5 HN10 - No drainage to discharge to highway**
- 6 N16 - Welsh Water Informative**
- 7 N15 - Reason(s) for the Grant of PP/LBC/CAC**

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

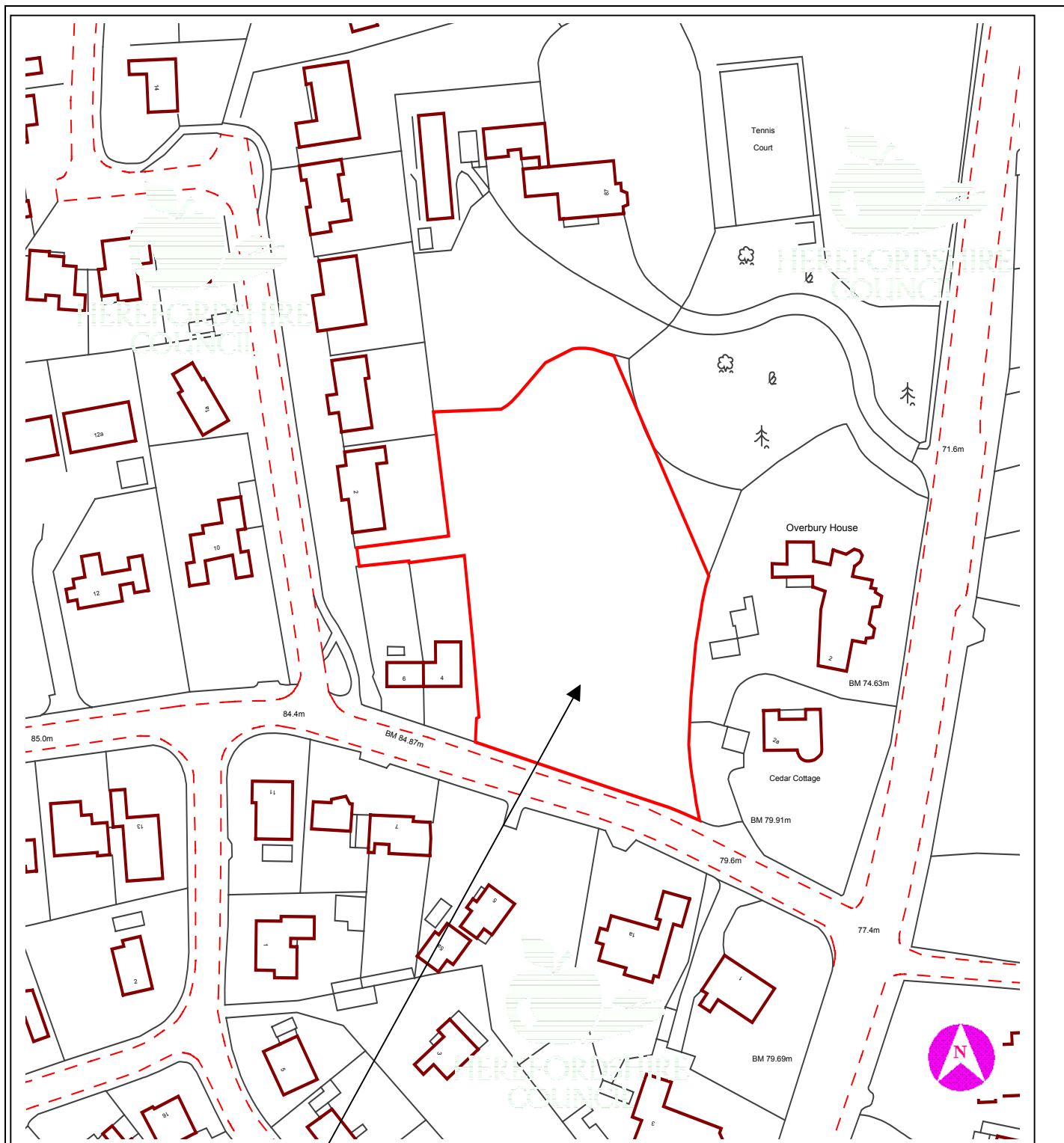
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2005/3153/F

SCALE : 1 : 1250

SITE ADDRESS : Land West of Overbury House, Overbury Road, Hereford, HR1 1JE

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