

6 DCCE2005/3306/F - RETROSPECTIVE APPLICATION FOR RAISED DECKING TO REAR GARDEN, NEW BOUNDARY FENCING AND RAILINGS AT 48 HAFOD ROAD, HEREFORD, HR1 1SQ**For: Milbury Care Service per Homewood Design Ltd.,
Units 2 & 3 Mitchell's Court, Lower Gungate,
Tamworth, Staffordshire, B79 7AF****Date Received: 14th October, 2005 Ward: Tupsley Grid Ref: 52388, 39633****Expiry Date: 9th December, 2005**

Local Members: Councillors Mrs. M.D. Lloyd-Hayes, Mrs. E.A. Taylor and W.J. Walling

1. Site Description and Proposal

- 1.1 This application seeks permission for the retention of a raised decking area with associated lower patio level, new boundary fencing and railings. The application site is 48 Hafod Road, Hereford, a large detached property recently converted from a dwelling to a residential care home by virtue of application DCCE2005/0292/F.
- 1.2 The area of decking requiring permission has been erected along the rear of the property with a lower level patio constructed on the garden. Railings have been introduced to enclose the patio area. Boundary fencing running along the southern boundary has also been introduced but this does not actually require permission as it is under 2 metres in height. The application has been revised following one of the two letters of objection to include new planting to the south and western boundaries in the interests of the privacy of neighbouring properties.

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

Policy ENV14	-	Design
Policy H12	-	Established Residential Areas – Character and Amenity
Policy CON13	-	Conservation Areas – Development Proposals
Policy CON14	-	Planning Applications in Conservation Areas

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S6	-	Transport
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy HBA6	-	New Development Within Conservation Areas
Policy CF7	-	Residential Nursing and Care Homes

3. Planning History

- 3.1 DCCE2004/4282/F Change of use from residential C3 to residential C2 care home for adults with learning disabilities, including two storey rear extension. Withdrawn 25th January, 2005.
- 3.2 DCCE2005/0292/F Change of use from residential C3 to residential C2 care home for adults with learning disabilities, including two storey rear extension. Approved 9th March, 2005.
- 3.3 DCCE2005/3467/F Revision of parking layout and relocation of bin store. Approved 30th November, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager - No objection.
- 4.3 Conservation Manager - No response received.

5. Representations

- 5.1 Hereford City Council - No objection.
- 5.2 Local residents. Two letters of objection have been received to this application.
- 5.3 The first objection was received at an early stage in the consultation period from Mrs. Sally Morgan, 47 Lichfield Avenue expressing concerns over the retrospective nature of this application and the loss of privacy associated with the proposal. A high fence was requested to overcome the concerns. Having regard to the character of the locality a revised scheme with a landscaping screen on the affected boundary was requested and received. This revised scheme was subsequently forwarded to Mrs. Morgan for comment. The covering letter advised that if no response to the re-consultation was received within 10 days it would be assumed that the objections raised had been overcome. No further correspondence has been received.
- 5.4 The second objection came at the end of the consultation period and was received from Mr. Duncan Wilkins, 50 Hafod Road, Hereford. The objections raised within this letter can be summarised as follows:
1. Drainage problems will result from the garden alterations undertaken.
 2. The garden level has been increased.
 3. A patio has been constructed without permission.
 4. The development has reduced privacy.
 5. The decking is 'flimsy' and dangerous.
 6. The decking poses a fire risk.

In respect of the above points it is advised that points 1, 5 and 6 are not material planning considerations in this instance.

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 precise extent of earthworks undertaken on site is somewhat difficult to determine due to the retrospective nature of this application. This is a regrettable situation, however, from evidence gathered during the assessment of the previous applications on site it would appear that the earthworks have regularised the stepped banking historically found on site to enable the introduction of a level patio area. The decked area is partly in the location of a historic raised stone level found to the rear. The new timber decking extends the full width of the rear, stopping adjacent to the boundary with No. 50 Hafod Road to the south.
- 6.2 The two principal issues associated with this application are considered to be the design and impact upon visual amenities and the impact upon residential amenities.
- 6.3 The decked area is currently visually stark being only recently introduced. The decking therefore appears somewhat awkward against the well established property. That said, the decking is solid and with time will age so as to sit more comfortably within the garden area. The siting of the decking to the rear ensures limited visibility of it from public vantage points. The extensive on site landscaping screens the area well and this will be complemented by the additional landscaping proposed in this application. The patio is well laid with attractive black steel railings. Overall it is considered that the development provides an effective decked/patio area for utilisation by the residents of this care facility which will, with time, soften and blend into the site. The garden area associated with this property required remodelling following a period of neglect and this has now been undertaken with the new users of the property in mind. It is considered that the development is acceptable in design and scale and does not compromise the visual amenities of the locality. It is assessed that the character and appearance of the Conservation Area are preserved through this development.
- 6.4 Turning to the issue of privacy, the distance from the decking area to the properties to the west of the site is considered adequate to ensure privacy, however, additional landscaping on this boundary will offer additional screening. To the south, the raised decking does allow overlooking of the garden area associated with No. 50 Hafod Road. It is of note that the relationship between these properties is such that significant overlooking was possible prior to these works but equally it is the case that the decking further compromises privacy. To mitigate against this a landscape screen is proposed to ensure effective protection against overlooking and a loss of privacy. A condition requiring a landscaping scheme is proposed to ensure the provision of the boundary screening. The revised plans suggest a conifer screen but it may be the case that this is not the most appropriate species in this Conservation Area. A condition is therefore proposed to approve the final species to be introduced. Having regard to the proposed privacy screening it is assessed that the impact upon the residential amenities of neighbouring properties will be acceptable.

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. **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. **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. **G09 (Retention of trees/hedgerows).**

Reason: To safeguard the amenity of the area.

Informatives:

- 1. **N03 - Adjoining property rights.**
- 2. **N15 - Reason(s) for the Grant of Planning Permission.**

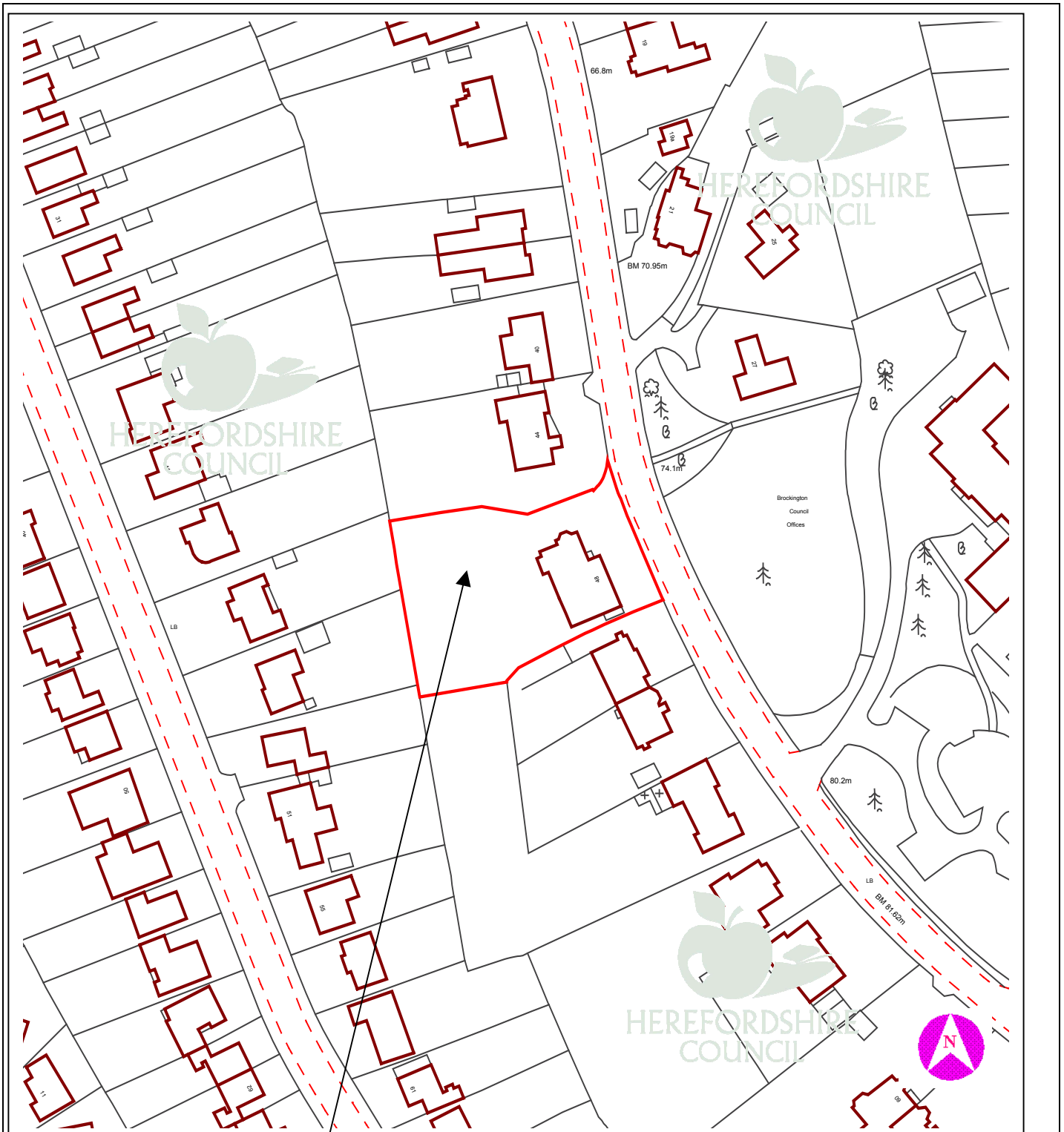
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2005/3806/F

SCALE : 1 : 1250

SITE ADDRESS : 48 Hafod Road, Hereford, HR1 1SQ

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