

**5A DCCW2005/4113/F - DEMOLITION OF EXISTING BUILDING AND ERECTION OF 13 APARTMENTS AT LEXTON HOUSE, NO. 6 FRIARS STREET, HEREFORD**

**For: Mr. R.W.D. Rowles per RRA Architects, Packers House, 25 West Street, Hereford, HR4 0BX**

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**Date Received: 22nd December, 2005    Ward: St. Nicholas    Grid Ref: 50596, 40036**

**Expiry Date: 16th February, 2006**

**BVPI Expiry Date: 23rd March, 2006**

Local Members: Councillors Mrs. E.M. Bew and Miss F. Short

**1. Site Description and Proposal**

- 1.1 Lexton House is located on the western side of Friars Street, Hereford at its northern end near the junction with Eign Street. It is an imposing three storey house with outbuildings that protrude forward of the established building line. The plot of land is rectangular and has a frontage of 20 metres and a depth of 34 metres.
- 1.2 The proposal is to demolish the house and outbuildings and replace with a gated courtyard development of 13 apartments (11 one bed and 2 two bed units). Eight car parking spaces and a cycle store will be located within the curtilage. The new building fronting Friars Street will be three storey and set back into the site behind the line of a former road widening proposal. At right angles to this block and located on the southern boundary will be a mixture of two/three storey apartments.
- 1.3 The plans have been amended since submission with the inclusion of decorative brick features on the south elevation and insertion of doors and porches on the Friars Street elevation. Materials proposed are a mixture of brick and render under a slate roof.
- 1.4 The planning application is accompanied by an application for Conservation Area Consent seeking approval for the demolition of Lexton House and its associated outbuildings.

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

PPS1    -    Delivering Sustainable Development

|       |   |                                       |
|-------|---|---------------------------------------|
| PPG3  | - | Housing                               |
| PPS6  | - | Planning for Town Centres             |
| PPG13 | - | Transport                             |
| PPG15 | - | Planning and the Historic Environment |
| PPG16 | - | Archaeology and Planning              |
| PPG25 | - | Development and Flood Risk            |

## 2.2 Hereford and Worcester County Structure Plan:

|              |   |                            |
|--------------|---|----------------------------|
| Policy H14   | - | Location of Growth         |
| Policy CTC5  | - | Archaeology                |
| Policy CTC6  | - | Conservation Areas         |
| Policy CTC9  | - | Development Requirements   |
| Policy CTC15 | - | Conservation Areas         |
| Policy CTC18 | - | Development in Urban Areas |

## 2.3 Hereford Local Plan:

|              |   |   |
|--------------|---|---|
| Policy H3    | - | Design of New Residential Development       |
| Policy CON12 | - | Conservation Areas                          |
| Policy CON13 | - | Conservation Areas – Development Proposals  |
| Policy CON14 | - | Planning Applications in Conservation Areas |
| Policy CON35 | - | Archaeological Evaluation                   |
| Policy CON36 | - | Nationally Important Archaeological Remains |
| Policy CON37 | - | Other Sites of Archaeological Interest      |

## 2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

|              |   |  |
|--------------|---|--|
| Policy H1    | - | Hereford and the Market Towns                              |
| Policy H2    | - | Hereford and the Market Towns                              |
| Policy H3    | - | Managing the Release of Housing Land                       |
| Policy H13   | - | Sustainable Residential Development                        |
| Policy H14   | - | Re-using Previously Developed Land and Buildings           |
| Policy H15   | - | Density  |
| Policy H16   | - | Car Parking  |
| Policy E5    | - | Safeguarding Employment Land and Buildings                 |
| Policy TCR1  | - | Central Shopping and Commercial Areas                      |
| Policy TCR2  | - | Vitality and Viability                                     |
| Policy T7    | - | Cycling  |
| Policy T11   | - | Parking Provision  |
| Policy HBA6  | - | New Development in Conservation Areas                      |
| Policy HBA7  | - | Demolition of Unlisted Buildings within Conservation areas |
| Policy ARCH1 | - | Archaeological Assessments and Field Evaluations           |
| Policy ARCH6 | - | Recording of Archaeological Remains                        |

## 3. Planning History

- 3.1 DCCW2005/1419/F Demolition of existing dilapidated building and erection of 13 no. apartments. Withdrawn 20th June, 2005.
- 3.2 DCCW2005/1420/C Demolition of dilapidated building and construction of 13 no. apartments. Withdrawn 20th June, 2005.

#### 4. Consultation Summary

##### Statutory Consultations

4.1 Environment Agency: Comments awaited.

4.2 Welsh Water recommend conditions.

##### Internal Council Advice

4.3 Traffic Manager: Comments awaited.

4.4 Drainage Engineer: "I refer to the above applications and in particular to the Flood Risk Assessment dated 8th December 2005 prepared by Mr. W.J. Burton on behalf of the respective architects.

Paragraphs 2.4, 2.5., 2.6 and 2.7 of the FRA refer in part to a report/statement which I prepared initially to assist Mr. Burton in his original contact with the Environment Agency in the hope that a full FRA would not be necessary.

The report/statement to the EA is reproduced below:

Historically the Yazor Brook flowed through Whitecross, via a siphon beneath the disused railway line and then under Friars Street in culvert to the River Wye. In 1960 a relief surface water sewer was constructed upstream of the siphon thus taking the majority of flows directly to the river. This resulted in reducing flows through the siphon and the Friars Street culvert to 'overflow' rate only.

Available records show that the replacement surface water sewer is 42" in diameter and laid to an approximate gradient of 1:250 giving a theoretical capacity of 2cu.m/sec. As the capacity of the new chamber at the siphon is 3cu.m/sec this gives a theoretical overflow of 1cu.m/sec however this is unlikely to be achieved due to conditions within the siphon. Furthermore it was reported that there was insufficient capacity between the siphon and the Friars Street culvert to facilitate a discharge of 1cu.m/sec.

Herefordshire Council has no record of Friars Street or the surrounding area being affected by flood water from the Yazor 'overflow' and as the discharge rates are so low the watercourse has not been designated as critical within the Environment Agency's guidance on high level targets.

Other than perhaps some localised ponding it is difficult to see how Friars Street could be threatened by any serious flooding.

Based on my assessment of the situation I would suggest that the Flood Risk Assessment as prepared in support of the above application is accepted."

4.5 Conservation Manager: Comments awaited.

#### 5. Representations

5.1 Hereford City Council: "Hereford City Council has considered this application and recommends refusal on the grounds of over-intensive development proposals for the size of the site."

## 5.2 Conservation Advisory Panel: Comments awaited.

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 main issues relating to the proposal are:

- 1) The principle of developing the site.
- 2) The impact upon the Conservation Area.
- 3) Highway considerations.
- 4) Flood risk.
- 5) Developer contribution.

#### The Principle of Developing the Site

- 6.2 The site is contained within the urban area of Hereford City where policies support the regeneration and development of brownfield sites. The existing building, although substantial is not considered worthy of retention and the new building will be set back and therefore open-up the "bottleneck" created by Lexton House in this section of Friars Street.

#### The Impact on the Conservation Area

- 6.3 The proposal would represent a positive enhancement to the Conservation Area and create more space along Friars Street in place of the currently enclosed appearance created by the existing building. The frontage building will be three storeys high and faced in brick and render under a slate roof. The remaining apartments will then step down from the front building in graduated steps to a final two storey building. Decorative brick treatment will be conditioned to improve the appearance of the southern elevation. Whilst on the northern elevation use of render will complement the recently refurbished Victorian Eye Hospital and Sunbeam Corner.
- 6.4 As a gated, courtyard development all access, both pedestrian and vehicular, will be through the main entrance therefore providing a secure and safe environment for the residents.

#### Highway Considerations

- 6.5 Friars Street has an identified road improvement scheme and the proposal will not impact upon the scheme. In fact it will allow the facilitation of the scheme with the new build set back behind the road improvement line. Limited parking of only eight spaces is proposed plus a cycle storage area and this reduced number is justified due to its location within the city in line with advice contained in PPG3. An enhanced footpath will also be provided at the front of the site.

#### Flood Risk

- 6.6 The application includes a Flood Risk Assessment, the conclusions of which confirm that the site is not liable to flood during a 1 in 100 year event but recommend that ground floor levels are set 300mm above street level which will further enhance the natural standard of protection. The Council's Land Drainage Officer has assessed the

Flood Risk Assessment and concurs with its findings and therefore subject to no adverse comments from the Environment Agency it is recommended that the proposal is acceptable on flood risk grounds.

#### Developer Contributions

6.7 The applicant's agent has submitted the following reasons why they consider that their client do not need to make educational contributions.

"1. The development consists of predominantly one bedroom flats, 11 in total. As Committee Members should realise one bedroom flats will only be occupied by singles or couples and therefore no children will be residing to occupy the school. Admittedly there are 2 x no. two bedroom flats but market research shows it would be highly unlikely a family with a child would occupy these premises, it is more likely for a couple keeping a spare room, therefore, this development is not making an impact on the resources of the school.

2. To improve highway safety the applicant in conjunction with the transportation unit and planning department set back the development of 5.2 metres from their boundary, therefore reducing their development land by 10%. In doing this, the street scene has been enhanced and highway safety in particular for pedestrians with an increased footpath of 1.8 metres. The existing footprint in parts is less than 800mm. It is therefore in the applicant's opinion he has more than contributed to the school with regard to the safety of the parents and pupils in being able to walk to and from school safely. At present with the existing buses and other vehicles of traffic, the current status is not satisfactory."

6.8 Your Officers concur with the rationale adopted by the applicant and consider that the setting back of the building and enhancement the street scene and highway are additional contributory factors supporting the agent's view.

#### Conclusion

6.9 The re-development of the site complies with policy of the Development Plan and its re-development will enhance the Conservation Area and the current constraints on the width of Friars Street.

### **RECOMMENDATION**

**In respect of DCCW2005/4113/F:**

**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. 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. D01 (Site investigation – archaeology).

Reason: To ensure the archaeological interest of the site is recorded.

4. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

5. 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.

6. F49 (Finished floor levels (area at risk from flooding)).

Reason: To protect the development from flooding.

7. G01 (Details of boundary treatments).

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

8. G04 (Landscaping scheme (general)).

Reason: In order to protect the visual amenities of the area.

9. G05 (Implementation of landscaping scheme (general)).

Reason: In order to protect the visual amenities of the area.

10. F22 (No surface water to public sewer).

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

**Informative:**

1. N15 - Reason(s) for the Grant of Planning Permission.

In respect of DCCW2005/4115/C:

That Conservation Area Consent be granted subject to the following conditions:

1. C01 (Time limit for commencement (Listed Building)).

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. C14 (Signing of contract before demolition).

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Informative:**

- 1. N15 - Reason(s) for the Grant of Conservation Area Consent.**

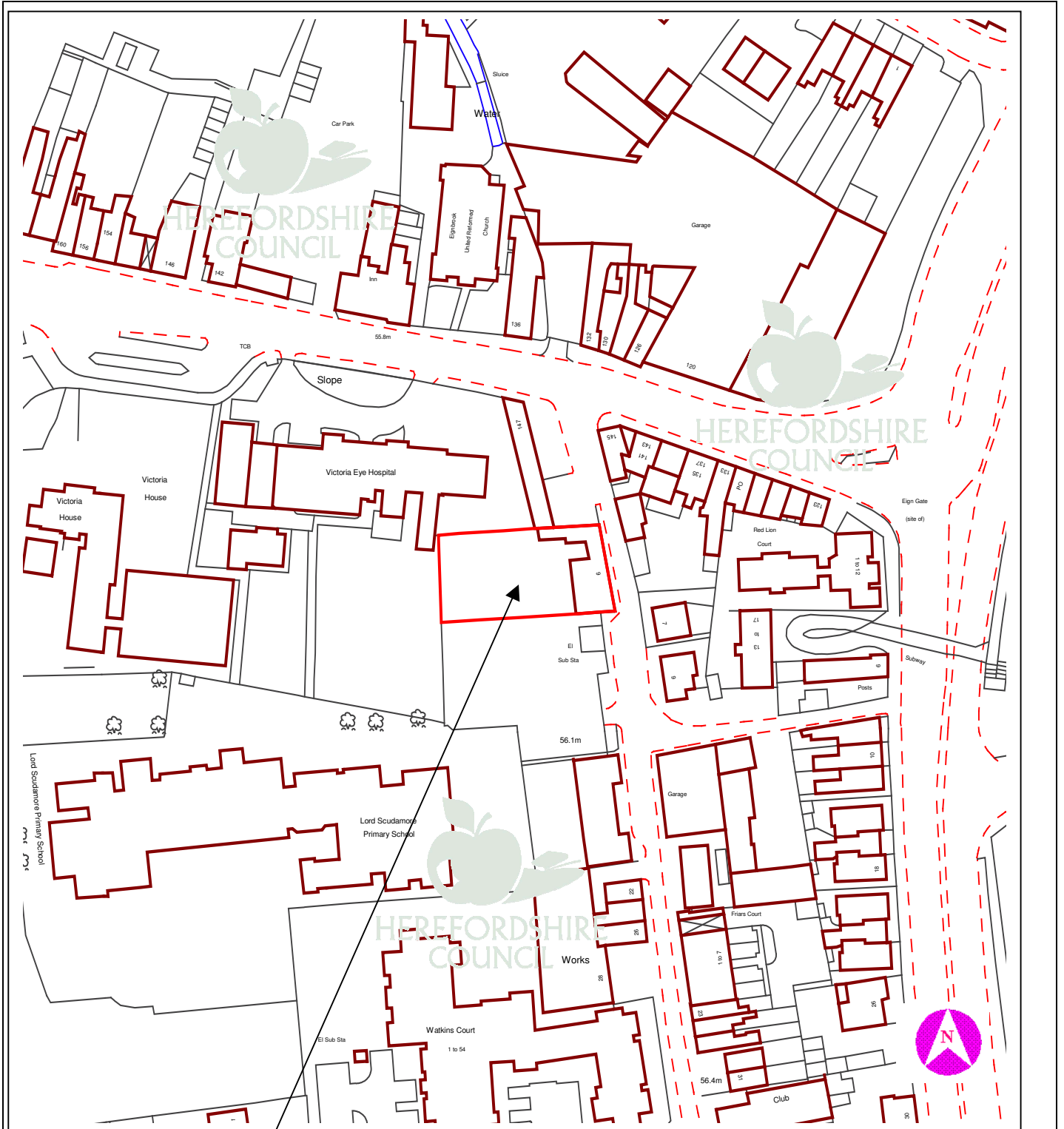
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NOS:** DCCW2005/4113/F & DCCW2005/4115/C

**SCALE :** 1 : 1250

**SITE ADDRESS :** Lexton House, No. 6 Friars Street, Hereford

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