

5 DCCW2006/0495/F - NEW RESIDENTIAL DEVELOPMENT COMPRISING 2 NO. 4 BED HOUSES AND ONE NO. 2 BED HOUSE PLUS NEW HIGHWAY ACCESS AT 285 KINGS ACRE ROAD, HEREFORD, HR4 0SS

For: Caplor Homes Ltd. per Meredith Architectural Design, 34 Montpelier Road, West Malvern, Worcestershire, WR14 4BS

Date Received: 13th February, 2006 **Ward: Credenhill** **Grid Ref: 47557, 41294**
Expiry Date: 10th April, 2006
Local Member: Councillor R.I. Matthews

Introduction

This application was deferred at the meeting of the Central Area Planning Sub-Committee on 5th April, 2006 in order to carry out a site visit. The visit took place on 18th April, 2006. The report has been updated.

1. Site Description and Proposal

- 1.1 No. 285 Kings Acre Road is a three bedroom bungalow located on the southern side between 283 and 289 Kings Acre Road. The property has an extensive garden that loops around the back of Nos. 289 and 291 Kings Acre Road. The rear, southern boundary of the site is a continuation of the boundaries of other dwellings fronting Kings Acre Road.
- 1.2 The proposal is to close the existing entrance off Kings Acre Road to No. 285 and construct a new driveway on the western side which would provide access to the rear garden where two four bedroom and two bed chalet style dwellings are proposed. The existing bungalow would have an existing living/dining room element removed to accommodate the new driveway and be reduced from a three bed to a two bed bungalow. External materials proposed would be red brick and render under a slate roof.

2. Policies

2.1 Planning Policy Guidance:

PPG3 - Housing

2.2 South Herefordshire District Local Plan:

GD1 - General development criteria
SH1 - Housing land supply
SH4 - Housing land adjacent to Hereford City
SH15 - Criteria for new housing schemes

T3 - Highway safety

2.3 Herefordshire Unitary Development Plan:

DR1 - Design
S1 - Sustainable development
S3 - Housing
H1 - Hereford and the market towns
H2 - Hereford and the market towns
H3 - Managing the release of housing land
T11 - Parking provision

3. Planning History

3.1 SH990079/O Erection of six bungalows. Refused 26th March, 1979.
Appeal dismissed.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water: Raise no objection.

Internal Council Advice

4.2 Traffic Manager: Recommends conditions.

5. Representations

5.1 Breinton Parish Council: "Some objections.

1. The Council would be happier with two new houses on this site, as opposed to three. The density is too great for family accommodation. There are no play areas and minimal gardens, although we do recognise that a small amount of communal space is planned under some trees.
2. Two of the proposed dwellings are very close to a large mature tree. We are concerned that either the tree or the foundations of the houses might be compromised.
3. The applicant has stated that no trees will be removed, but the plans show that three trees will come down. Apart from the general concern that applications do not always reflect the reality, the Council would wish these trees checked for Tree Preservation Orders.
4. The Parish Council is concerned with the mention of Swainshill. It would maintain that the location of Swainshill has yet to be identified by Herefordshire Council in respect of the UDP and would NOT agree that this section of Kings Acre Road is in Swainshill. It is in an area, defined by a Herefordshire Council sign as Kings Acre."

5.2 Hereford City Council: "Hereford City Council has considered this application and has no objections but request conditions be imposed to retain or replace all existing trees

and hedgerows within the development site. Reason: to maintain the existing environmental quality of the area."

5.3 Two further letters from Mr. & Mrs. Steadman, 293 Kings Acre Road, Hereford and Mr. & Mrs. Baker, 281 Kings Acre Road, Hereford.

5.4 Two letters of objection have been received from R. & Y.H. Powell, Sycamore House, 289 Kings Acre Road, Hereford. The main points raised are:

1. The site is located to the rear of 289 Kings Acre Road in a backland setting in open countryside.
2. Previous applications on the land have been refused as back building and intrusion, in addition sewage and access concerns were raised. An appeal was also dismissed.
3. Subsequent to the refusal the two bungalows were built that now occupies part of the site.
4. The site rises to the rear and concerns over water drainage are raised.
5. This proposal could set an unwelcome precedent for Kings Acre Road.
6. There has been no planning allowed like this in the area.
7. The access road will be 12 metres away from a kitchen window with noise and pollution a problem.

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 In considering this proposal the following are considered to be critical:

- (A) The Principle of Development
- (B) Impact on the Amenity of Adjoining Residents
- (C) Highways

The Principle of Development

6.2 The site is located within the development line of properties and gardens that front Kings Acre Road. The site forms part of the garden area to No. 285 and is therefore not an open countryside location. It is situated along a transport route into the city and contained within the development zone as indicated by the existing boundaries of properties along Kings Acre Road. In addition the development is not dissimilar to the building development undertaken opposite at Bramley Court. It should however be noted that the site falls outside of the defined settlement boundary for Hereford City, but it is within the defined linear settlement zone for Kings Acre Road and in accordance with PPG3 is a "Brownfield" location because it is within a clearly defined curtilage of an existing dwelling. The site can, therefore, be categorised as previously

developed land. It is acknowledged that an appeal on this site was dismissed for six bungalows as “undesirable backland development” in 1979. However policies now permit backland development subject to appropriate space standards being achieved. This enables the efficient use of land in accordance with the requirements of PPG3.

Impact on the Amenity of Adjoining Residents

- 6.3 The three new dwellings are sited around the access driveway which runs along the eastern boundary of No. 289 Kings Acre Road. This boundary is a tall mature leylandii hedge. The access road will be 1.8 metres away from the boundary and will be 3.5 metres wide.
- 6.4 Two dwellings, both four beds, will face towards the rear garden of No. 289 whilst the two-bed dwelling will be gable end onto the adjoining property. However, distance between existing and proposed dwellings will be approximately 20 metres with a mature hedge and trees in between. This distance and with only one bedroom window and a velux to light the stairwell is considered acceptable and not to impact detrimentally on the amenity of adjoining residents. Therefore although the development is quite rightly described as “backland” development it is acceptable backland development as it will provide acceptable standards of amenity.

Highways

- 6.5 The access proposals have been thoroughly assessed by the Traffic Manager who raises no objection subject to appropriate conditions.

Conclusions

- 6.6 The redevelopment of this “Brownfield” land within the linear development boundary of Kings Acre Road provides for an efficient use of land for housing without detriment to the amenity of nearby residents or highway safety. In addition, and to protect residents’ amenity permitted development rights are recommended to be removed.

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

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

- 4. E16 (Removal of permitted development rights).**

Reason: In order to protect the amenity of nearby residents.

5. **F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

6. **F17 (Scheme of foul drainage disposal).**

Reason: In order to ensure that satisfactory drainage arrangements are provided.

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

Reason: To safeguard the amenity of the area.

11. **H03 (Visibility splays).**

Reason: In the interests of highway safety.

12. **H06 (Vehicular access construction).**

Reason: In the interests of highway safety.

13. **H08 (Access closure).**

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

14. **H09 (Driveway gradient).**

Reason: In the interests of highway safety.

15. **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.

Informatives:

1. **HN04 - Private apparatus within highway.**

- . **HN05 - Works within the highway.**
- 3. N15 - Reason(s) for the Grant of Planning Permission.**

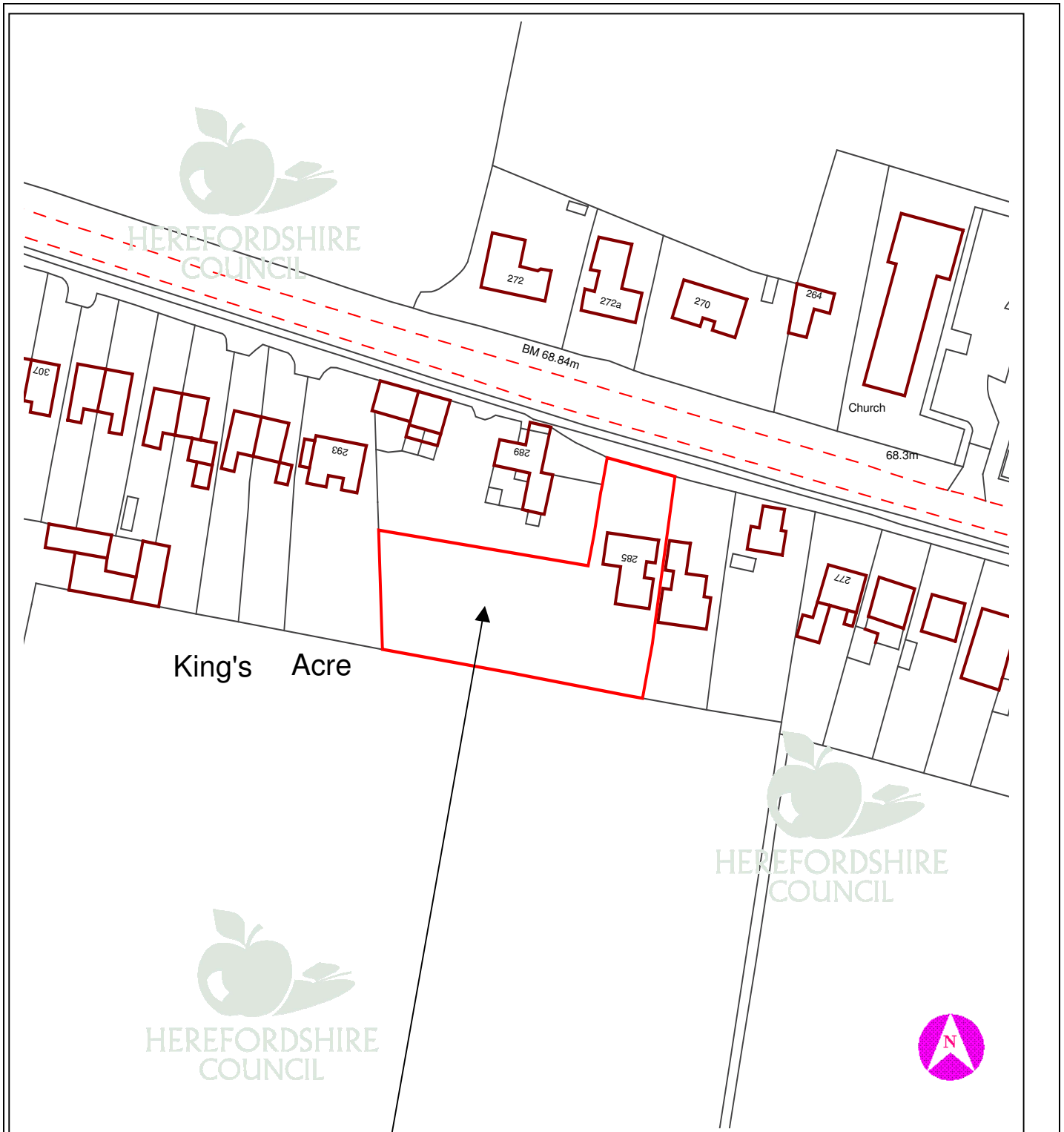
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/0495/F

SCALE : 1 : 1250

SITE ADDRESS : 285 Kings Acre Road, Hereford, HR4 0SS

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