

18 DCCW2006/1227/F - PROPOSED NEW DETACHED DWELLING AT LAND TO THE REAR OF MARSTON HOUSE, 64 BELMONT ROAD, HEREFORD, HR2 7JW**For: Mr. & Mrs. R. Windley per Mr. J. Scriven, Long Orchard, 5 Overbury Road, Hereford, HR1 1JE****Date Received: 6th April, 2006****Ward: St. Martins & Hinton****Grid Ref: 50542, 39101****Expiry Date: 1st June, 2006**

Local Members: Councillors Mrs. W.U. Attfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

- 1.1 The application site is comprised of the northwestern half of the curtilage of 64 Belmont Road, situated within an Established Residential Area of the City of Hereford.
- 1.2 The application seeks consent to erect a detached dwelling within the subdivided curtilage of this Grade II listed property and would be accessed from Belmont Court.
- 1.3 The proposed detached dwelling would be a four bedroom property, of traditional red brick and natural slate roof construction, with a maximum ridge height of 7.5 metres.

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

Policy ENV14	-	Design
Policy H3	-	Design of New Residential Development
Policy H12	-	Established Residential Areas – Character and Amenity
Policy H13	-	Established Residential Areas – Loss of Features
Policy H14	-	Established Residential Areas – Site Factors
Policy CON2	-	Listed Buildings – Development Proposals

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1	-	Design
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H13	-	Sustainable Residential Design
Policy HBA4	-	Setting of Listed Buildings

3. Planning History

- 3.1 HC910312PO Outline consent for the erection of four dwelling. Granted October 1992. *(Note this consent was approved under the provisions of the previous Local Plan and prior to 64 Belmont Road being designated as a Grade II listed building).*
- 3.2 HC960381PO Outline consent for the erection of four dwellings. Withdrawn January 1997.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection, subject to minor modification.

4.3 Conservation Manager: No objection.

5. Representations

5.1 Hereford City Council: Request that this application be determined strictly in accordance with the approved development plan applicable to the area of the Parish of the City of Hereford. The City Council also makes the following additional representations: recommends refusal on the grounds this being backland development and on account of inadequate access provision.

The full text of this letter can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 Having regard for the relevant policies, the primary issues in determining this application are considered to be:

- The principle of development
- The impact of the proposed dwelling on amenity of the established residential area
- The impact on the setting of the listed building.
- Access and highways issues
- Flood risk

Principle of Development

6.2 The application site lies within an Established Residential Area, and the adopted local plan recognises that there is scope for further appropriate residential development within these areas, providing that the character and appearance of the area is not adversely affected by the proposed development. Therefore the proposal to erect a new dwelling is acceptable in principle, subject to other material considerations being satisfactorily resolved.

Visual and Residential Amenity

6.3 A 2.4 metre high brick wall fully encloses the rear curtilage of the existing dwelling providing a significant degree of privacy preventing views into the garden area. The design of the new dwelling is relatively modest in scale, being comprised of a 1½ storey brick built construction under a slate roof incorporating small dormer windows.

6.4 The proposed dwelling will be significantly screened from external view, the ground floor being below the level of the wall, leaving only the roof and upper part of the dwelling visible from public vantage points.

6.5 Having regard for the enclosed nature of the application site, privacy of the adjoining dwellings will be largely unaffected, and the design of the dwelling omits any windows

in the northeastern flank, protecting the amenity of those dwellings backing onto that part of the site. However notwithstanding the submitted design, it is considered expedient to remove the permitted development rights to insert windows in this elevation to ensure the continued satisfactory relationship between the proposed dwelling and its neighbours. In order to protect the amenity of the area during the construction phase, standard conditions would be imposed controlling hours of operation, and prohibiting fires. Overall the design siting and layout of the proposed dwelling and its relative orientation to neighbouring properties is not considered to give rise to any harm to the visual or residential amenity of the wider locality.

- 6.6 The concerns of Hereford City Council are noted but in view of the above and the generally mixed character of the residential development surrounding the site, it is not considered that this represents an unacceptable form of backland development.

Setting of the Listed Building

- 6.7 The existing dwelling is a large grade II listed, 19th Villa style house, consequently regard needs to be had to the desirability of preserving its character and setting when determining this application for planning permission. Although the presence of the proposed building will have some impact in relation to setting of the listed building, it is not considered that there will be demonstrable harm, particularly as the development will occur within what is already a private and enclosed space. No objection is raised by the Conservation Manager.

Access and Highways

- 6.8 The property is served by an existing vehicular access, which traverses a short section of private driveway, prior to entering onto the public highway known as Belmont Court. The proposed dwelling and the existing property will continue to be served by this access, with a total of 6 parking spaces being provided within the curtilage of the site to serve both properties.
- 6.9 In principle the Traffic Manager has no objection to the access and parking arrangements, but states that minor modifications to the surfacing and layout of the driveway to provide for an enlarged turning head, as well as re-siting one of the proposed parking spaces are required. These comments are considered reasonable and the appropriate conditions are recommended.

Flood Risk

- 6.10 The application site lies just within the southern edge of a designated flood zone 2 (medium to low risk area), and as such the Local Planning Authority have an obligation to consider the impact of flooding.
- 6.11 In this particular case the site is completely surrounded by residential development which is not known to have a history of flooding, consequently it is not considered that there is any significant flood risk which would justify either refusal or the inclusion of any mitigation measures to protect the development from future flood events.

Conclusion

- 6.12 Overall the proposal complies with the relevant policies in the Local Plan, and as such, approval is recommended.

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. **E18 (No new windows in specified elevation).**

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

5. **F10 (Restriction on hours of operation of machinery/equipment).**

Reason: To safeguard the amenity of the area.

6. **F40 (No burning of material/substances).**

Reason: To safeguard residential amenity and prevent pollution.

7. **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. **N01 - Access for all.**

2. **N03 - Adjoining property rights.**

3. **N06 - Listed Building Consent.**

4. **N12 - Shopfront security.**

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

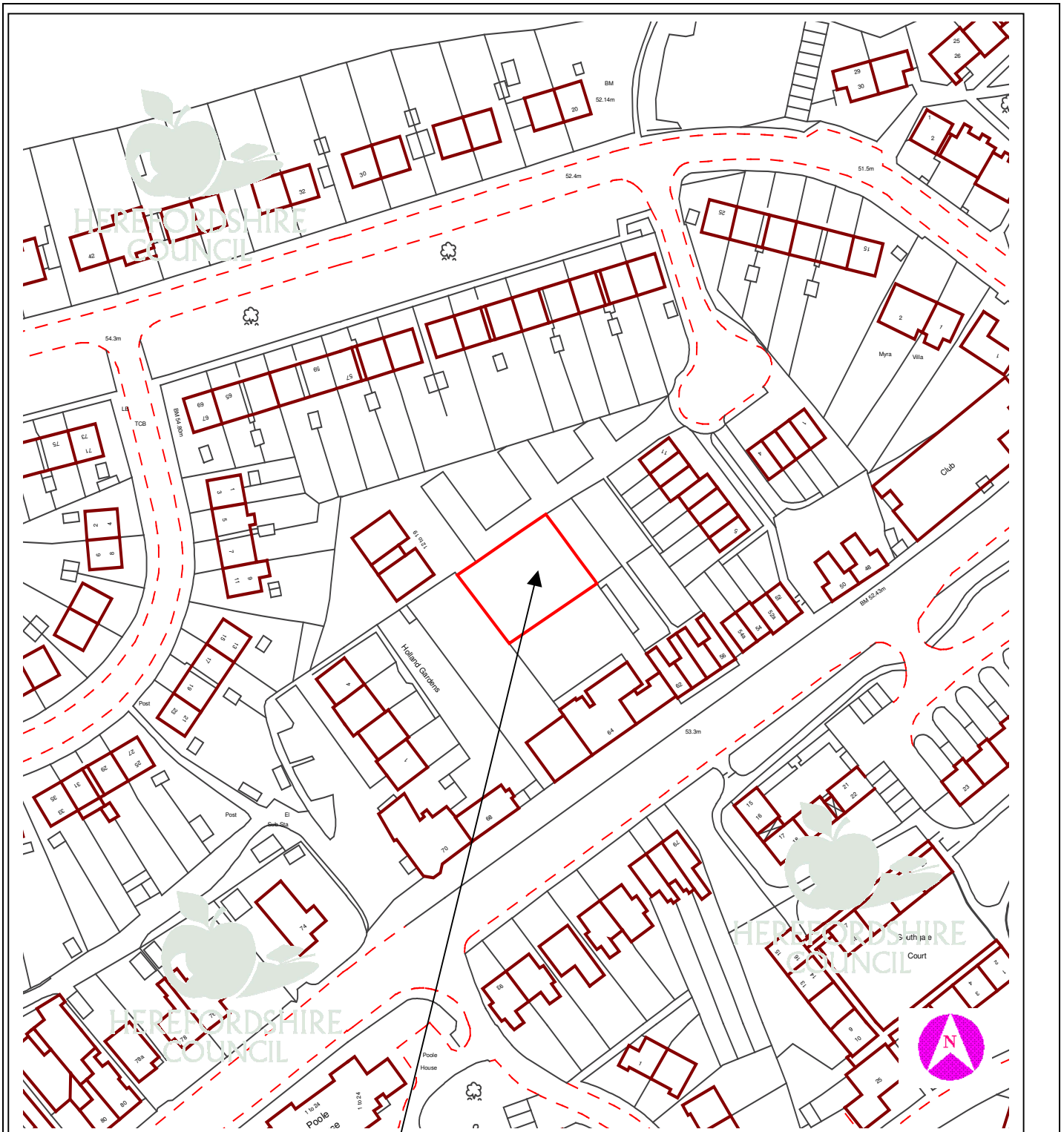
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/1227/F

SCALE : 1 : 1250

SITE ADDRESS : Land to the rear of Marston House, 64 Belmont Road, Hereford, HR2 7JW

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