

**7 DCCE2006/1374/O - PROPOSED DWELLING IN GARDEN. 22 FOLLY LANE, HEREFORD, HEREFORDSHIRE, HR1 1LY****For: Mrs. D.R. Built per Mr. C. Goldsworthy, 85 St Owens Street, Hereford, HR1 2JW****Date Received: 26th April, 2006    Ward: Tupsley    Grid Ref: 52509, 40355****Expiry Date: 21st June, 2006**

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

**Introduction**

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 28th June, 2006 in order to carry out a site visit. The visit took place on the 11th July, 2006.

**1. Site Description and Proposal**

- 1.1 This application seeks outline permission for the erection of a new dwelling at 22 Folly Lane, Hereford. The application reserves all matters but an indicative layout plan has been provided. This application represents a resubmission of an Outline planning application (DCCE2005/3072/O) which also sought permission for a dwelling. This application was refused using Delegated powers.
- 1.2 The existing site fronts onto Folly Lane and consists of a dwelling located to the rear within a garden curtilage. To the west of the site is found frontage development facing onto Folly Lane. Folly Drive runs immediately to the east of the application site serving 11 dwellings. The application site is located within the Established Residential Area and gradient levels rise from the front of the site to the rear of the site. This proposal seeks permission for a dwelling to be sited in the front garden area of number 22 Folly Lane. The indicative layout suggests a dwelling located approximately 11 metres in from the highway with the existing front access point closed. A new vehicular access to serve both the existing and proposed property is shown to the front of number 22, accessed from Folly Drive.

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

H12	-	Established residential areas – character and amenity
H13	-	Established residential areas – loss of features
H14	-	Established residential areas – site factors

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

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
DR1	-	Design
H1	-	Hereford and the market towns: settlement boundaries and established residential areas

## 3. Planning History

3.1 DCCE2005/3072/O – Proposed dwelling. Refused 15th November, 2005.

3.2 95/0035/PF - Two storey extension. Approved 27th February, 2005.

## 4. Consultation Summary

### Statutory Consultations

4.1 None.

### Internal Council Advice

4.2 Traffic Manager – No response received

4.3 Environmental Health Manager – No objection

## 5. Representations

5.1 Local residents – Two letters of objection have been received from the following sources:

- P.A. Hawkins, 20 Folly Lane, Hereford
- Mr and Mrs C.L. Williams, 24 Folly Lane, Hereford

The comments raised can be summarised as follows:

1. The proposed access will cause noise, light and pollution issues; the existing access should be used.
2. Mature trees on site have been removed;
3. Adverse impact upon nature conservation;
4. Unacceptable subdivision of a garden area;
5. Proposal fails to acceptably meet the criteria outlined in Hereford Local Plan Policy H14;
6. The proposal fails to comply with the criteria outlined in Herefordshire Unitary Development Plan (Revised Deposit Draft) Policy S1 and S2;
7. The proposal will be unable to promote or reinforce the distinctive character and appearance of the locality in accordance with policy DR1 of Herefordshire Unitary Development Plan (Revised Deposit Draft).

5.2 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 application site is located within the Established Residential Area of Hereford and as such there is no fundamental policy objection to a residential development of this site. As noted previously, all matters have been reserved in this application; however, the principle of residential development on this site must be considered.
- 6.2 As with the previous application it is considered that there are two significant issues for consideration in the context of this application. The first is the relationship of any new dwelling with the existing property on site. The second is the ability of any new property to integrate effectively into the street scene.
- 6.3 Having regard to the site and its context, it is considered that a new dwelling of an appropriate design and scale for this locality could not be introduced without either compromising the privacy of the existing dwelling, or representing an incongruous feature within the street scene to the detriment of the visual amenities of the area. A location towards the rear of the site will result a loss of privacy between the proposed property and the existing dwelling. Whilst the required distance between these properties to avoid overlooking would result in a prominent and intrusive feature within the street scene. The site is notable for its gradient and the siting of the neighbouring properties (20 and 24) is not conducive to the appropriate siting of this proposal. It is further assessed that, notwithstanding the above issues, a new dwelling on this site would result in a contrived relationship between the existing dwelling on site and the proposed new property.
- 6.4 Turning to the objections raised, the access limitations were recognised by the Traffic Manager in the previous application for this proposal (DCCE2005/3072/O) but it was suggested that either a widening of Folly Drive or the use of the existing access could resolve these concerns. A refusal on this matter was not considered reasonable with the previous application, particularly as access is a reserved matter, and this remains the case with this application.
- 6.5 Though this site does initially appear to offer the potential for development, it is considered that for the reasons discussed above the site is ultimately unable to acceptably accommodate a dwelling without compromise.

## RECOMMENDATION

**That planning permission be refused on the following ground:**

- 1. The proposed development would, by virtue of the site constraints and its' context, result in a contrived and unacceptable relationship with the existing dwelling; and, would result in an adverse impact on the character and appearance of the street scene to the detriment of the visual amenities of the locality. The proposal is therefore considered contrary to Hereford Local Plan Policies H12, H13, H14 and Herefordshire Unitary Development Plan (Revised Deposit Draft) Policies S1, S2, S3, DR1, H1**

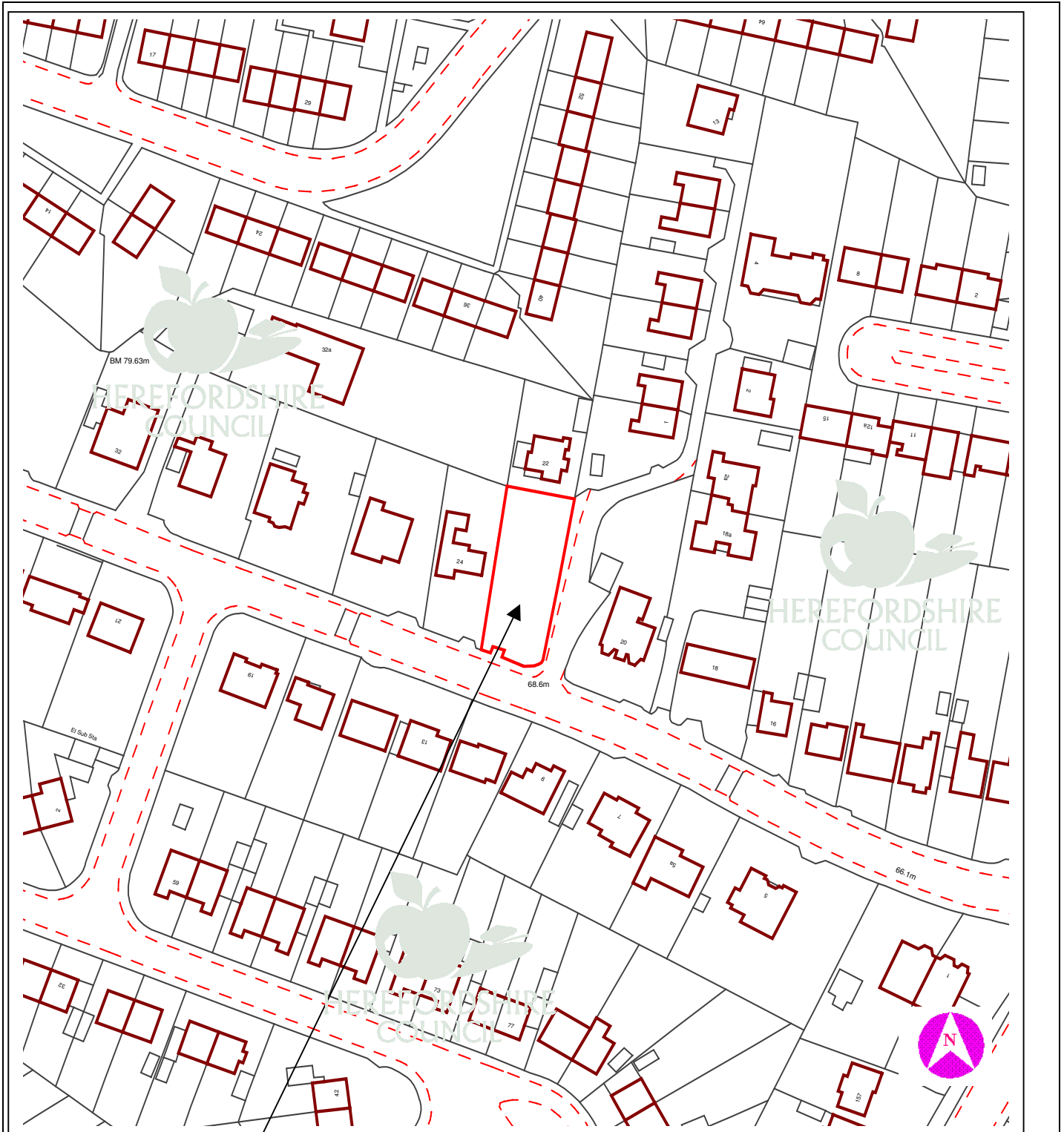
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2006/1374/O

**SCALE :** 1 : 1250

**SITE ADDRESS :** 22 Folly Lane, Hereford, Herefordshire, HR1 1LY

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