

**10 DCCE2006/1619/F - RESIDENTIAL DEVELOPMENT
COMPRISING 2 NO. 2 BEDROOM FLATS. LAND
ADJACENT TO 72 BULMERS AVENUE, HEREFORD,
HEREFORDSHIRE, HR1 1EJ****For: Hereford Co-operative Housing Ltd. JBD
Architects, Mortimer House, Holmer Road, Hereford,
HR4 9TA****Date Received: 15th May, 2006 Ward: Aylestone Grid Ref: 51665, 40887****Expiry Date: 10th July, 2006**

Local Members: Councillors D.B. Wilcox and A.L. Williams

1. Site Description and Proposal

- 1.1 This application seeks permission for the erection of a two storey development to create two, two bedroom flats. The application site is located at the north eastern end of Bulmers Avenue, adjacent to No. 72. To the north and east of the site is found Frank Owen Court, a development of single storey dwellings. The site for the proposed building is broadly level, however, the eastern boundary is steeply banked with approximately 2 metres difference in levels between the lower parts of the site and the eastern boundary. The application site is located within a designated Conservation Area with the dwellings in this locality forming the first garden suburb development within the city.
- 1.2 The application proposes a unit with dimensions similar to those of the neighbouring semi-detached units, with a design intended to reflect the character of the locality but in a more contemporary manner. The site level is 0.3 metres higher than the adjacent land to the south west (occupied by No. 72), and the property itself 0.5 metres taller than No. 72, the total difference in ridge heights would therefore be 0.8 metres. A parking area is proposed to the front of the development, the front elevation of which is in line with that of the neighbouring properties to the south west.
- 1.3 This application represent a re-submission of a proposal that was ultimately withdrawn (DCCE2204/3542/F).

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

PPS1	-	Delivering sustainable development
PPG3	-	Housing
PPG15	-	Planning and the historic environment

2.2 Hereford Local Plan:

ENV14	-	Design
H3	-	Design of new residential development

H12	-	Established residential areas – character and amenity
H13	-	Established residential areas – loss of features
H14	-	Established residential areas – site factors
CON12	-	Conservation areas
CON13	-	Conservation areas – development proposals
T5	-	Car parking – designated areas

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport
S7	-	Natural and historic heritage
DR1	-	Design
DR2	-	Land use and activity
H1	-	Hereford and the market towns: settlement boundaries and established residential areas
H16	-	Car parking
T11	-	Parking provision
HBA6	-	New development within conservation areas

3. Planning History

- 3.1 DCCE2004/3542/F - Residential development of 2, 2-bedroom flats. Withdrawn 19th January, 2005.
- 3.2 DCCE2001/2533/F - Erection of two storey extension to provide kitchen and additional bedroom. Approved 2nd November, 2001.
- 3.3 DCCE2001/0628/F - Erection of two storey extension to provide kitchen and additional bedroom. Refused 4th May, 2001.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.
- 4.3 Conservation Manager: No objection subject to conditions.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Conservation Advisory Panel: Express concern at the loss of open space, advise that no context is submitted to comment upon, advise that this is a very important garden suburb, and suggest more details be requested.

5.3 Local Residents: Two letters of objection have been received from residents of Frank Owen Court. The comments made can be summarised as follows:

- Loss of privacy;
- Inadequate parking provision.

In addition to the comment made, a selection of photographs were also submitted showing the views from window openings in Frank Owen Court.

5.4 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 From a planning policy perspective this application seeks permission for a residential development within an Established Residential Area. No objections are therefore raised to the principle of development. The key issues to be considered are:

- a) Design and scale;
- b) Conservation Area impact and visual amenities;
- c) Residential amenities;
- d) Highways issues.

Design and Scale

6.2 The scale of this proposal is considered appropriate being reflective of the neighbouring semi-detached properties. The previous application for the development of this site (DCCE2004/3542/F) sought permission for a contemporary design with a strong character in stark contrast to the locality. This was considered unacceptable having regard to the context of the locality and the application was withdrawn on the advice of Officers. The design for this revised scheme whilst still contemporary represents a more subdued and sensitive approach. The need for the basic silhouette of the building to be similar to the neighbouring properties is a limiting factor, but this is a necessary and appropriate restriction in view of the strong defining character of the properties in the locality. The design as now proposed is considered appropriate in this location with the form and materials proposed matching the wider locality and the fenestration providing appropriate architectural interest and individuality. A broadly similar approach can be found to the southwest of the site in a development called Bertram Court.

Conservation Area Impact and Visual Amenities

6.3 The existing site is an open area of garden. The adjacent buildings are part of the first garden suburb with the city and as such are of architectural merit. In such a context it is considered that a contemporary design approach with a character reflective of the locality is an appropriate architectural approach. It is important for the proposal to do two things, firstly to reflect the character and appearance of the locality and sit comfortably in the locality, and secondly to express the building as a modern design to avoid an undesirable pastiche approach. It is assessed that the proposed design achieves these objectives and the character and appearance of the Conservation Area will be preserved through this development.

- 6.4 The existing trees and shrubs running along the eastern boundary are shown as being retained and this is considered important to the maintenance of the visual amenities of the locality. Having regard to this, and in recognition of the design, it is suggested that the visual amenities of the locality will be maintained.

Residential Amenities

- 6.5 The siting and layout of this proposal is such that the relationship to the north east and south west will be similar to that found throughout this estate. To the east and north east the relationship between the proposed development and the properties forming Frank Owen Court is of note. The closest point between the proposal and Frank Owen Court is approximately 15 metres, however, the window-to-window relationships must be considered having regard to their relative orientation. The difference between the floor level of the proposed development and that of Frank Owen Court is approximately 3 metres. The ground floor windows are therefore not of concern but at first floor level habitable openings are found in both the north east and east facing elevations. It is significant, however, that a 1.8 metre boundary fence is found along the boundary and a relatively dense landscape screen also runs along this edge. On balance it is considered that the relationship between these properties, together with the boundary screening, is such that the relationship between the proposed development and Frank Owen Court will be within acceptable limits. The impact upon residential amenities is therefore considered acceptable but appropriate conditions relating to the landscaped boundary treatment and slab level will ensure satisfactory form of this development.

Highway Issues

- 6.6 The proposal involves the use of the existing access point serving No. 72. Parking for two vehicles is proposed for this development. Although this development will result in the loss of the parking currently provided for No. 72, it is of note that a parking lay-by arrangement is found along the length of this road, reflecting the period of this development and the fact that off street parking is not available for all dwellings in this area. The Traffic Manager is of the opinion that the proposed parking arrangement is acceptable and is in accordance with emerging planning policy.

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 The fenestration of the development hereby approved shall be of timber construction with finishes to be submitted to and approved in writing by the local planning authority. Development shall then be carried out in accordance with the approved details and maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: To ensure the satisfactory appearance of the development.

- 5 C04 (Details of window sections, eaves, verges and barge boards).

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 6 F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

- 7 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.

- 8 H06 (Vehicular access construction).

Reason: In the interests of highway safety.

- 9 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.

- 10 G04 (Landscaping scheme (general)).

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

- 11 G05 (Implementation of landscaping scheme (general)).

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

- 12 G06 (Scope of landscaping scheme).

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

- 13 G17 (Protection of trees in a Conservation Area).

Reason: To ensure the proper care and maintenance of the trees.

Informatives:

- 1 N01 - Access for all.
2 N03 - Adjoining property rights.

- 3 **HN05 - Works within the highway.**
- 4 **HN10 - No drainage to discharge to highway.**
- 5 **N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.**
- 6 **N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 – Bats.**
- 7 **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

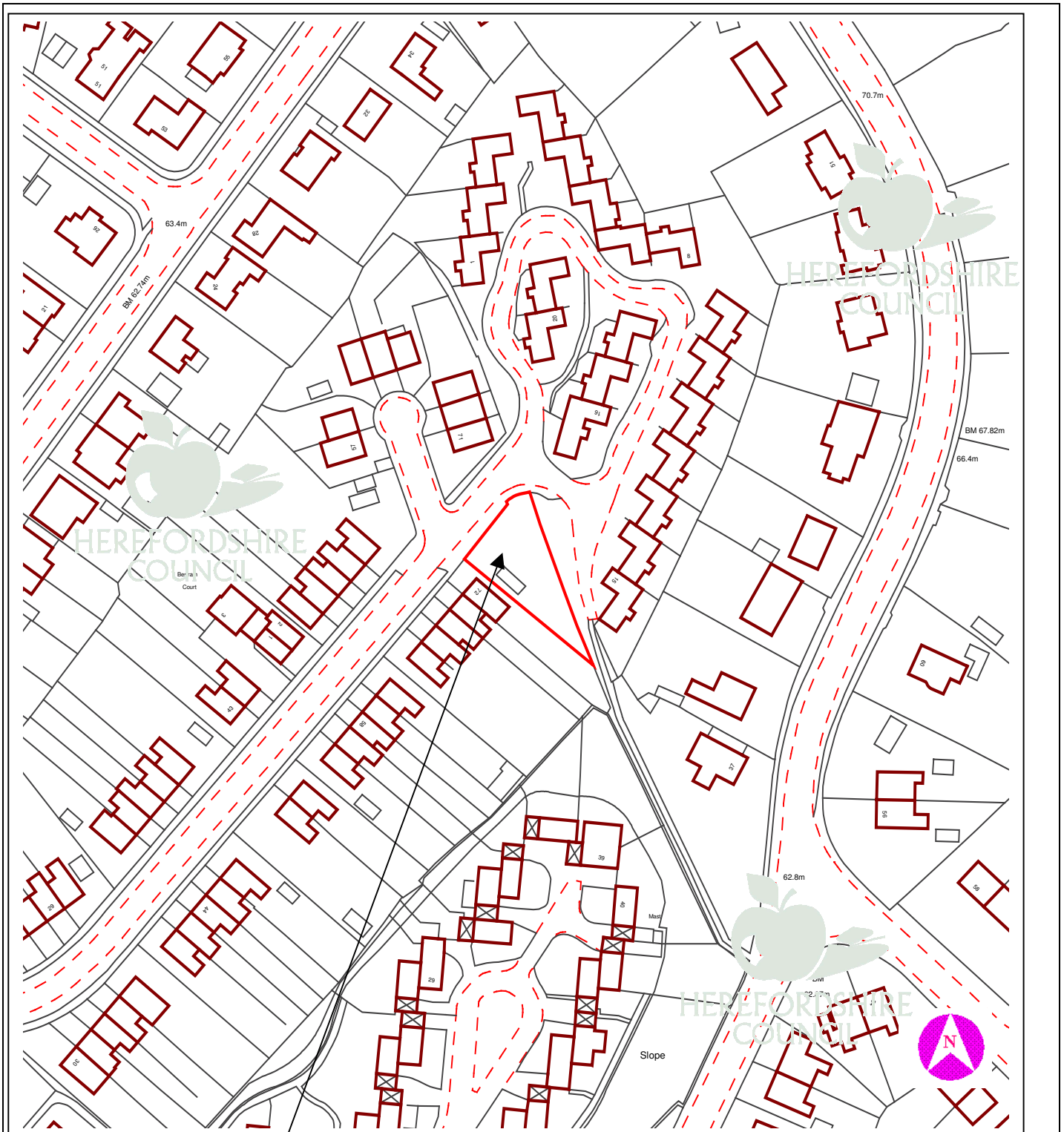
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/1619/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to 72 Bulmers Avenue, Hereford, Herefordshire, HR1 1EJ

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