

6 DCCW2006/2231/F - ERECTION OF 5 NO. NEW APARTMENTS TO COMPRISE 3 NO. 2 BED AND 2 NO. 1 BED DWELLINGS AT 43 KINGS ACRE ROAD, HEREFORD, HR4 0QL

For: Inhabit DDM Ltd. per RRA Architects Ltd., Packers House, 25 West Street, Hereford, HR4 0BX

Date Received: 7th July, 2006

Ward: St. Nicholas

Grid Ref: 49005, 40788

Expiry Date: 1st September, 2006

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

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 23rd August, 2006 in order to carry out a Members' site visit. The site visit was carried out on 5th September, 2006.

1. Site Description and Proposal

- 1.1 The application site is comprised of the eastern half of a large domestic curtilage which presently serves 43 Kings Acre Road within an established area on the western side of Hereford.
- 1.2 The wider area is generally characterised by large two storey detached and semi-detached dwellings with no overall defining architectural style with properties ranging from interwar through to more modern estate type housing. Visually the wide verges and mature public and private landscaping give the appearance of a spacious boulevard which screens views of the dwellings which are generally set well back from the highway, along this particular section of Kings Acre Road.
- 1.3 The application seeks consent to erect a purpose built block containing five residential flats within the subdivided curtilage.
- 1.4 The proposed development is of a contemporary modern design with rendered and timber clad elevations beneath a stepped flat roof with a maximum overall height of 7.8 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 H14	-	Established Residential Areas – Site Factors

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 H15 - Density

3. Planning History

- 3.1 SC980977PF Conversion of existing dwelling into four self contained flats. Approved 22nd January 1999.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection, subject to the imposition of standard sewerage conditions.

Internal Council Advice

- 4.2 Traffic Manager: Has no objection, subject to the imposition of standard conditions.
4.3 Conservation Manager: Has no objection, subject to the imposition of standard conditions.

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 ground that proposed design is out of keeping with the established street scene.

- 5.2 Seventeen letters of objection have been received, which are summarised as follows:

- Flat roof is inappropriate to the character of the area.
- Potential for overlooking and loss of privacy.
- Highway safety issues arising from additional traffic entering and leaving the site.

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

- The Principle of Development.
- Design and the Impact of the Proposed Development on Amenity of the Established Residential Area.
- Highway Safety.

Principle of Development

- 6.2 The application site lies within an Established Residential Area. The adopted and emerging plan policies recognize 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 is considered to be acceptable in principle, subject to other material considerations being satisfactorily resolved.

Design and Amenity

- 6.3 The application proposes a modern design with simple elevations, which are clad with a combination of rendered and timber panels beneath a stepped flat roof that will accommodate the 5th residential unit on the second floor.
- 6.4 In terms of its footprint and overall scale and massing, the proposed development is similar in size to the existing substantial dwelling known as 43 Kings Acre Road.
- 6.5 Furthermore the stepping down from 7.8 metres to 5.5 metres of the flat roof assists with the transition from the height of No. 43, which stands 8.5 metres and the lower ridge height of 7 metres at 39 Kings Acre Road to the east. Furthermore the proposed block is set well back into the site such that it would be well screened by the existing properties either side. Therefore it is not considered that the proposed development will be demonstrably harmful to the character and appearance of the wider locality in terms of its siting, scale and massing.
- 6.6 Views into the site from Kings Acre Road are limited by the presence of mature landscaping and a 2 metre high brick wall, which forms the front boundary. The result is that the ground floor of the proposed building will be largely screened from external view leaving only the upper part of the proposed building partially visible. In order to preserve this landscaping as well as properly protect a large Sycamore which is protected by a Tree Preservation Order, appropriate landscape conditions are recommended.
- 6.7 The concerns of Hereford City Council together with those of the local residents about the discordant nature of the modern design, and in particular the use of a flat roof, in relation to the more traditional style properties surrounding it, are noted. However it is not considered that the design gives rise to a demonstrable loss of visual amenity within the wider locality, consequently the mere fact that the proposed building is not a pastiche of its neighbours does not alone substantiate grounds for refusal.
- 6.8 Overall it is considered that this contemporary approach is appropriate in scale and form and will integrate into this spacious and well-landscaped setting which is already characterised by an eclectic mix of properties of different architectural styles.
- 6.9 Having regard for the relatively enclosed nature of the application site, privacy of the adjoining dwellings will be largely unaffected and the design of the building omits all but obscure glazed bathroom windows on the east and west elevations. The amenity of the dwellings immediately adjoining the proposed development will therefore be satisfactorily preserved.
- 6.10 With regard to the fifth unit located on the second floor, it is considered that any external use of the flat roof as a balcony could harm the amenity of neighbouring

properties as a result of overlooking and the design has omitted any form of terracing or balustrade.

- 6.11 To ensure the continued satisfactory relationship between the proposed building and its neighbours it is considered expedient to prevent the external use of the flat roof and an appropriate condition has been recommended.
- 6.12 In order to protect the amenity of the area during the construction phase standard conditions are recommended controlling hours of operation and prohibiting fires.
- 6.13 The design, siting and layout of the proposed development and its relationship to neighbouring property is not considered to give rise to any harm to the residential amenity.

Highways

- 6.14 There are no highways objections to the development and it is not considered that the development will give rise to any unacceptable increase in traffic. However the Traffic Manager has suggested that the development should provide secure cycle storage in the interests of promoting sustainable modes of transport and for that reason an appropriate condition has been recommended.

Conclusion

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

RECOMMENDATION

That subject to no objection being raised by the Conservation Manager, 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. No part whatsoever of the flat roof on the second floor shall be used at any time as a balcony or roof terrace.**

Reason: To protect the residential amenity of adjacent properties.

- 5. H06 (Vehicular access construction).**

Reason: In the interests of highway safety.

6. **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.

7. **H29 (Secure cycle parking provision).**

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

8. **F22 (No surface water to public sewer).**

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

9. **G16 (Protection of trees covered by a Tree Preservation Order) (TPO 351).**

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

10. **G18 (Protection of trees).**

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

11. **During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday – Friday 7.00 am – 6.00 pm, Saturday 8.00 am – 1.00 pm nor at any time on Sundays, Bank or Public Holidays.**

Reason: To safeguard residential amenity.

12. **No materials or substances shall be incinerated within the application site during the construction phase.**

Reason: To safeguard residential amenity and prevent pollution.

Informatives:

1. **The applicant is advised that they should follow the advice given in BS5837 (2005) 'Trees in Relation to Construction – Recommendations' to ensure that all the trees on the site are appropriately and successfully protected. The Council's Arboricultural Officer can be contacted on 01432-260135 for further information.**
2. **All machinery and plant shall be operated and maintained in accordance with BS5228: 1997 'Noise control of construction and open sites.'**
3. **N01 - Access for all.**
4. **HN05 - Works within the highway.**

- 5. **HN10 - No drainage to discharge to highway.**
- 6. **N19 – Avoidance of doubt.**
- 7. **N15 - Reason(s) for the Grant of Planning Permission.**

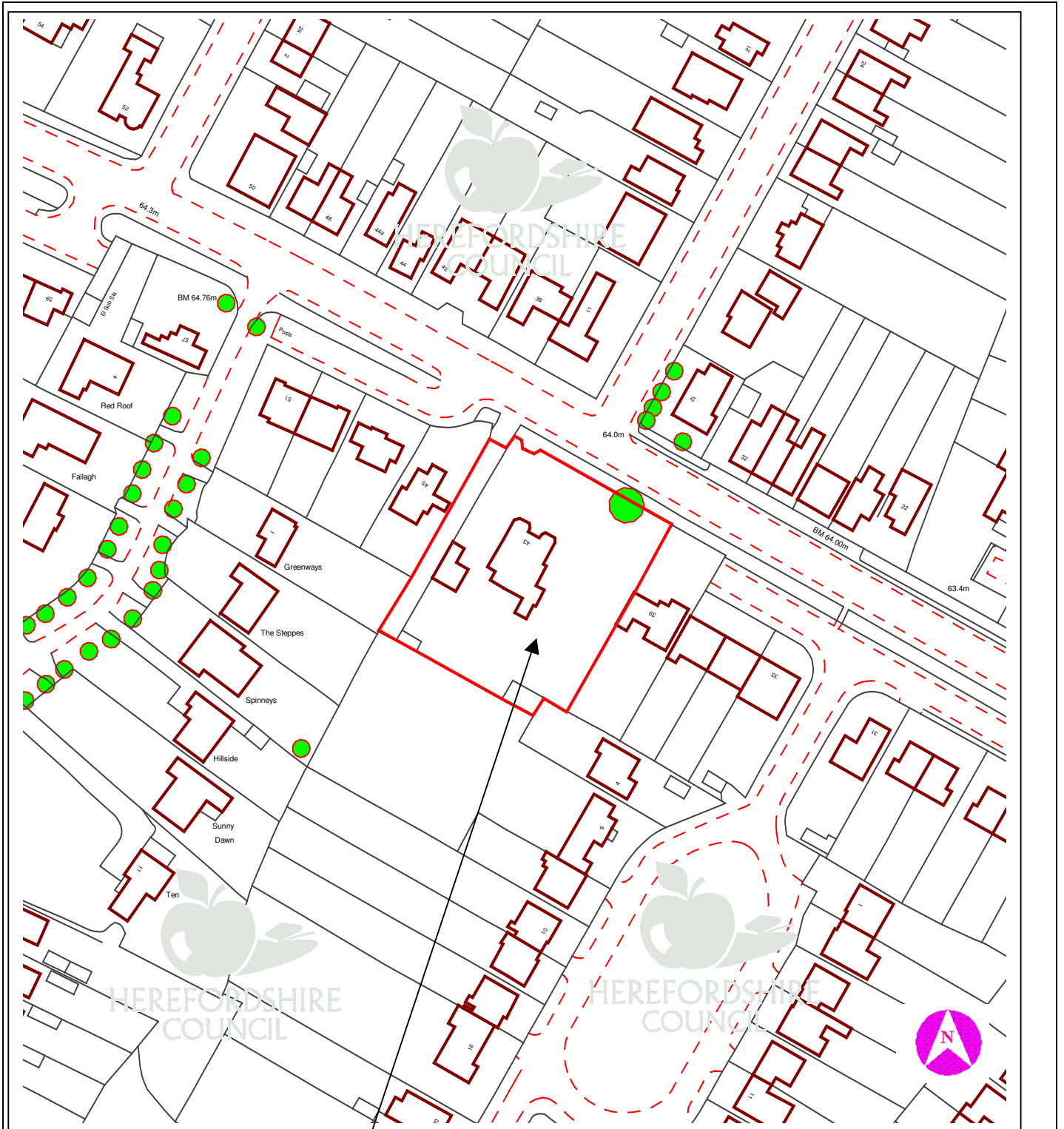
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCCW2006/2231/F

SCALE : 1 : 1250

SITE ADDRESS : 43 Kings Acre Road, Hereford, HR4 0QL

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005