

**7 DCCE2006/2099/F - ERECTION OF BUNGALOW. LAND AT 61 HAMPTON PARK ROAD, HEREFORD, HEREFORDSHIRE, HR1 1TJ****For: Mr. G. Rogers per Balfours, Windsor House, Windsor Place, Shrewsbury, Shropshire, SY1 2BZ****Date Received: 26th June, 2006    Ward: Tupsley    Grid Ref: 53030, 39274****Expiry Date: 21st August, 2006**

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

**Introduction**

This application was deferred at the Central Area Planning Sub-Committee on the 23rd August, 2006 to allow for receipt of the comments of the Parish Council and to further explore the access arrangements on site. In the meantime the applicants have confirmed their wish for the application to be determined. The report has been updated in light of additional information received.

**1. Site Description and Proposal**

1.1 This application seeks permission for the erection of a dormer bungalow on land to the north of 61 Hampton Park Road, Hereford. The application site itself is located on the western side of Old Eign Hill, to the north of the junction with Hampton Park Road. The site area currently forms an area of garden associated with 61 Hampton Park Road. The northern and eastern boundaries are enclosed by a mature evergreen hedge and a close boarded fence exists along the western boundary. The application site lies within the Established Residential Area of Hereford as defined in both the adopted Hereford Local Plan and the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft). The site also falls within the designated Hampton Park Conservation Area.

1.2 This application represents the third for a dwelling on this site. An Outline application (DCCE2005/3114/O) was first submitted in September 2005 and subsequently withdrawn. A subsequent full planning application (DCCE2005/4026/F) was received at the end of 2005 and ultimately secured planning permission subject to conditions. This application secured permission for a two bedroom bungalow with detached single car garage. Permission is now sought for a dormer bungalow to facilitate the creation of habitable space at first floor level, served by a dormer window in the front, east facing elevation, and a velux opening in the rear, west facing elevation. The existing vehicular access would be shared to provide access for both the existing and proposed properties in a similar manner to that approved in the previous scheme.

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

Policy ENV14	-	Design
Policy H3	-	Design of New Residential Development

Policy H6	-	Amenity Open Space Provision in Smaller Schemes
Policy H12	-	Established Residential Areas – Character and Amenity
Policy H13	-	Established Residential Areas – Loss of Features
Policy H14	-	Established Residential Areas – Site Factors
Policy CON12	-	Conservation Areas
Policy CON13	-	Conservation Areas – Development Proposals

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

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H3	-	Managing the Release of Housing Land
Policy H13	-	Sustainable Residential Design
Policy H16	-	Car Parking
Policy HBA6	-	New Development Within Conservation Areas

## 3. Planning History

- 3.1 DCCE2005/4026/F Proposed detached bungalow. Approved 7th March 2006.
- 3.2 DCCE2005/3114/O Proposed detached dwelling. Application Withdrawn 27th October, 2005.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions.

### Internal Council Advice

- 4.2 Traffic Manager: No objection subject to conditions.
- 4.3 Conservation Manager: Noted that the broadly 'arts and crafts' architectural styling is somewhat later than the majority of the properties within the key areas of the Hampton Park Conservation Area, but also stated that the proposal represented an improvement on the previously approved scheme. No objection subject to conditions.

## 5. Representations

- 5.1 Hereford City Council: Over intensive development.
- 5.2 Conservation Advisory Panel: 'Missed opportunity'.
- 5.3 Local Residents: Six letter of objection has been received from the following sources:
- Mr. and Mrs. Chapman, The Hollies, Old Eign Hill (x2)

- Julia Grant-Jones, 135 Old Eign Hill
- Michael and Jean Franzen, 114 Old Eign Hill
- Mr. and Mrs. Starling, 131 Old Eign Hill
- Mr. and Mrs. Davies, 59 Hampton Park Road.

The comments raised can be summarised as follows:

1. The frontage is forward of the building line spoiling the look of Old Eign Hill, the road is currently open at the front of all properties;
2. Potential for the setting of a precedent allowing front extensions to other properties on Old Eign Hill;
3. The proposal will look out of place;
4. The proposal will degrade views;
5. Loss of an attractive green space;
6. The proposal was previously restricted to two bedrooms, the current proposal can easily be reorganised to create a three bedroom property;
7. The boundary wall and its foundations on the northern boundary do not belong to the application site and their width should be excluded from any measurements;
8. The proposal involves a chimney. This is too close to the boundary with potential for smoke and smells;
9. Having regard to boundary concerns a specific restriction was imposed upon building within 3 metres of the northern boundary;
10. The height of the building has been substantially increased, degrading views;
11. Concerns over drainage arrangements;
12. The hedging will not screen the site and dwelling effectively;
13. The hedging must be retained to the front of the site at its current height, as with the previous scheme, in the interests of the visual amenities of the locality;
14. The introduction of the dormer opening will result in a loss of privacy and inter-visibility issues to the east;
15. The proposal is closer to the eastern and northern boundaries, forward of the building line, to the detriment of the amenities of the locality and those of neighbouring properties;
16. The dwelling proposed is not small and will be visible in the street scene, contrary to the suggestions of the agent in their supporting statement;
17. The 7.5 metre distance from the western boundary fence, if accurate, is acceptable [to the occupiers of number 59 Hampton Park Road] but a reduced distance would be unacceptable;
18. The 'velux' window proposed should be obscure glazed and fixed shut in the interests of residential amenities.

In relation to point (9) above it is advised that although the siting of the previous proposal may have been informed by the relationship of the proposal to neighbouring properties, no condition was attached to the planning permission preventing building within 3 metres of the boundary to the north.

5.4 The Agent has, on behalf of the applicant, submitted a supporting statement with this application, the relevant points are summarised as follows:

1. The pre-application enquiry into this site indicated the acceptability of a modestly sized property;
2. If there is a character in this area it stems from the lack of uniformity;

3. The design and scale of this proposal has been informed by planning policy;
4. The proposal provides a positive relationship between the 'old' and 'new' areas of housing;
5. A coherent street frontage will be created, supported by the retention of the hedgerow;
6. The design, materials, and size of this proposal have been informed by the adjacent dwellings and general street scene;
7. The original design '*whilst dismal and uninspired*' did relate to the existing housing near on Old Eign Hill, however, the Local Authority is looking to raise the quality of the design and acknowledge the setting;
8. The area is not sensitive, having regard to the varied character of the area and modern development, this is a robust street scene;
9. The original character and appearance of the street scene has been diluted to the north and east by newer development. This modern development is of little architectural merit and relates in no appreciable way to the original core of substantial villas;
10. The proposal will allow for a more acceptable transition between the openness of Old Eign Hill and the sense of enclosure on Old Eign Hill;
11. The proposal is of a more acceptable design to that of the approved scheme;
12. The proposal will not be detrimental to the character and appearance of the Conservation Area;
13. The proposal remains a modest bungalow.

5.5 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

### Principle

6.1 As with the previous application it is advised that the site lies within an Established Residential Area as designated in both the adopted Hereford Local Plan and Herefordshire Unitary Development Plan (Revised Deposit Draft) where the principle of new residential development is acceptable subject to Conservation Area, highway and amenity considerations. It is further the case that the start point for the consideration of this proposal is the extant permission on this site (DCCE2005/4026/F).

### Design and Scale

6.2 The proposed property essentially remains a modest predominantly single storey dwelling with two bedrooms identified. A dormer window is now included and the introduction of habitable space at first floor level results in an increase in height of 1.8 metres, bringing the ridge height up to 6.3 metres from 4.3 metres. The proposal is also 0.9 metres deeper to that of the approved dwelling. The locality is characterised by two storey properties but the characteristics of the site are such that a modest bungalow style property is considered appropriate. Although this property is larger than that of the approved scheme, it is still considered that the scale is acceptable for this location with the dormer bungalow appearance would be appropriate for the site characteristics. The design of the proposal is perhaps more accurately reflective of the inter-war period, as opposed to the original 'arts and crafts' style. The design is a significant improvement over the previous proposal which involved a bland and essentially characterless modern property. Although the proposed design is not in itself considered to be of any exceptional merit, it does represent an improvement.

### Residential Amenities

- 6.3 The proposed development is now 2 metres from the northern site boundary, compared to 3.5 metres as approved, and two metres from the eastern boundary, compared to 6 metres as approved. The distance from the western boundary is increased however, from 5 metres to approximately 7.5 metres. Having regard to this re-siting it is considered that impact upon the closest dwelling to the north west, number 114 Old Eign Hill, will be similar to the approved scheme with the dwelling. The dwelling is, of course, higher but the distance between these properties would be increased from approximately 8 metres to approximately 11 metres at the closest point. It is also the case that the dwelling design is changed from being gable ended, to hipped, ensuring that the implications of the height increase are minimised. A fixed and obscure glazed rooflight is the sole opening at first floor level ensuring that no loss of privacy will result. Turning to the east, the dwellings on the eastern side of Old Eign Hill are, at the very closest point, 20 metres away. This is considered ample distance in a suburban location. Notwithstanding the above, and in recognition of the relationship with other properties. Permitted Development Rights are proposed to be removed and new openings restricted to ensure effective protection of residential amenities in perpetuity.

### Visual Amenities and Conservation Area Impact

- 6.4 The increased size of this dwelling, and the reduced proximity to the eastern boundary will clearly increase the prominence of the proposed dwelling within both the street scene and the Conservation Area. The Conservation Manager notes that the design proposed is later than that found within the 'core' of the Hampton Park Conservation Area, but it is also recognised that the dwellings to the east and north east are modern 20<sup>th</sup> Century infill with no significant architectural merit. The proposed dwelling will be something of a contrast with the neighbouring dwelling, but will be of some interest architecturally in the context of the transitional nature of this site, linking the 'historic core' of the Conservation Area with the modern development in this locality. The boundary hedge would be retained and this is considered to be important to the impact of the proposal. A condition will ensure the retention of this feature but it is of note that some hedgerow removal may be required to facilitate an acceptable access arrangement. The proposal is therefore more prominent within the street scene, but with a more noteworthy design. On balance it is considered that the character and appearance of the Conservation Area, and the visual amenities of the locality, will be preserved through this development.

### Highways

- 6.5 As originally submitted the scheme received an objection from the Traffic Manager in relation to the access, parking, and manoeuvring arrangements. It is significant, however, that on the previous scheme the Traffic Manager was satisfied with the access arrangements subject to conditions concerning vehicle parking, manoeuvring, visibility splays and surfacing. On this basis a revised scheme based upon the approved arrangements has been requested and received reflecting the previously approved access arrangements.

Other Issues

- 6.6 The location of the neighbour's foul drain is currently being investigated by the applicant but ultimately, this is a civil matter and other concerns expressed such as the impact on a view are not a material planning consideration.
- 6.7 It was confirmed at the Central Area Planning Sub-Committee on the 23rd August, 2006 that the land owner contacted the Council and verbally suggested that they did not support the current application and proposed to restrict the sale of the land through a legal agreement such that only the approved scheme can be advanced. The Agent for the applicant has confirmed that the applicant wishes to proceed with the determination in spite of the landowners' comments. In the interests of clarification it is confirmed that the correct notification of the land owner has taken place and that land ownership matters and potential sale arrangements are not material planning considerations.

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

**Reason: To safeguard the amenity of the area.**

5. **H03 (Visibility splays)**

**Reason: In the interests of highway safety**

6. **H05 (Access gates).**

**Reason: In the interests of highway safety.**

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

**Reason: In the interests of highway safety.**

8. **H09 (Driveway gradient).**

**Reason: In the interests of highway safety.**

9. **H03 (Visibility splays).**

**Reason: In the interests of highway safety.**

10. **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.**

11. **E16 (Removal of permitted development rights).**

**Reason: To enable the local planning authority to maintain control of any future developments within the curtilage in the interests of residential amenity and the character and appearance of the Conservation Area.**

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

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

13. **E19 (Obscure glazing to windows and non-opening).**

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

14. **Foul water and surface water discharges must be drained separately from the site.**

**Reason: To protect the integrity of the public sewerage system.**

15. **No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

**Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.**

16. **No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.**

**Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.**

**Informatives:**

1. **HN05 - Works within the highway.**
2. **HN10 - No drainage to discharge to highway.**
3. **The applicant is advised that a foul drainage pipe may cross the application site.**
4. **N15 - Reason for the Grant of Planning Permission.**

**Or:**

**If the acceptability of the submission relating to the highways issues is not confirmed then the Officers named in the Scheme of Delegation to Officers be authorised to refuse the application on the grounds of highway safety.**

Decision: .....

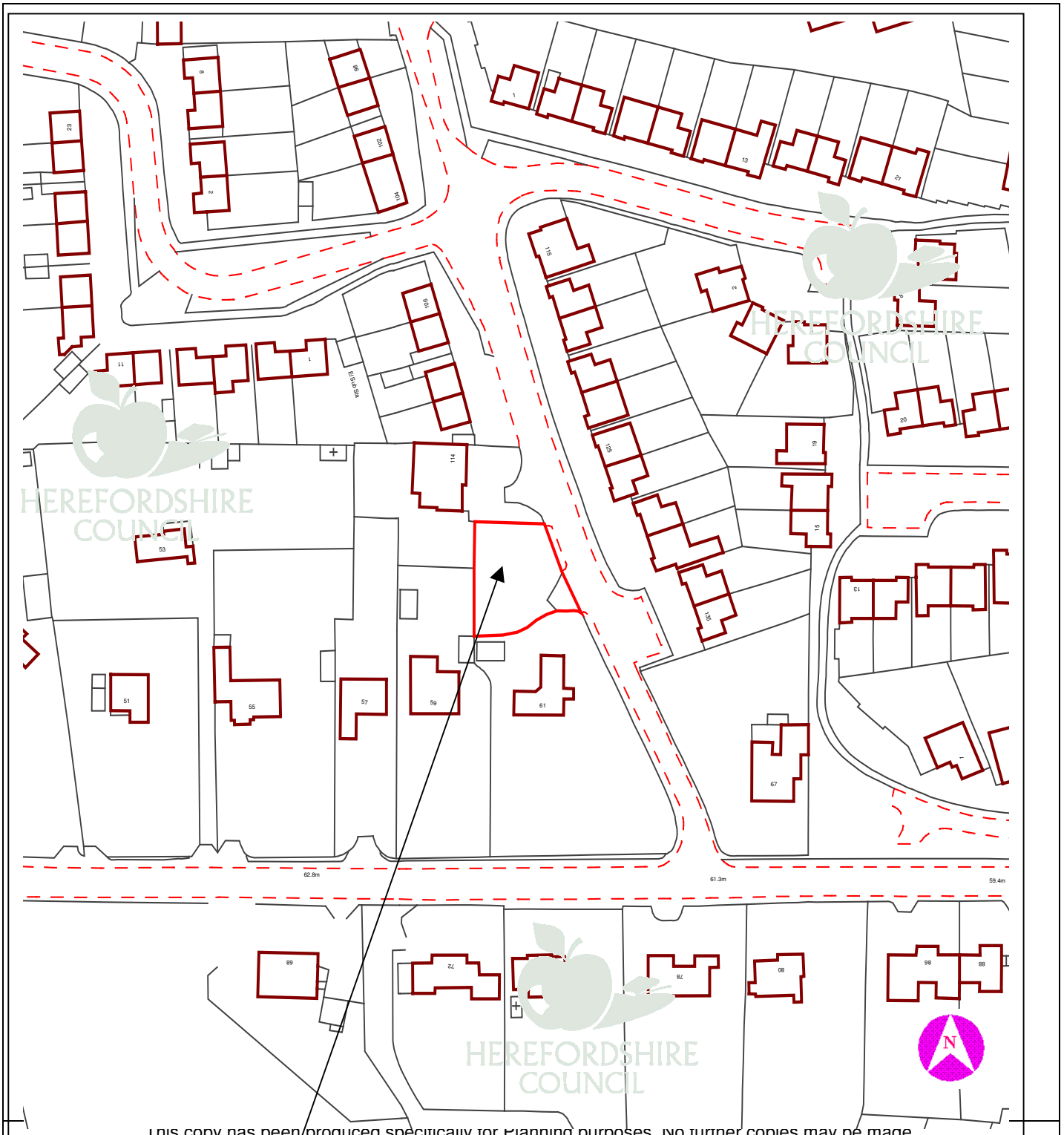
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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCCE2006/2099/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land at 61 Hampton Park Road, Hereford, Herefordshire, HR1 1TJ

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