

**8 DCCE2007/1763/F - EXTENSION AND CONVERSION OF THREE (3) NUMBER EXISTING APARTMENTS INTO SIX (6) NUMBER SELF CONTAINED STUDIO APARTMENTS AT 7 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1HR**

**For: Mr. D. Lorraine per A.W. Morris, Chartered Building Surveyor, 20 Ferndale Road, Kings Acre, Hereford, HR4 0RW**

**Date Received: 6th June, 2007**

**Ward: Aylestone**

**Grid Ref: 51748, 40470**

**Expiry Date: 1st August, 2007**

Local Members: Councillors N.L. Vaughan and D.B. Wilcox

## **1. Site Description and Proposal**

- 1.1 The application relates to No. 7 Aylestone Hill, one of a row of eight late Victorian villas located at the foot of Aylestone Hill between the junctions with Barrs Court and Penn Grove Road. The site lies within the Aylestone Hill Conservation Area. At present the building is sub-divided horizontally into four flats comprising the basement, ground, first and second floors. This application does not involve the second floor. There is no parking within the curtilage. The garden is found to the rear.
- 1.2 The original proposal sought permission for the extension of the building within the rear garden to create a self-contained unit. The remainder of the ground floor was proposed for sub-division to create a further 3 self-contained one bedroom units, with a further 3 at first floor. The basement was to remain as a single self-contained apartment. In total this approach would have resulted in a total of 8 self-contained units over the three floors.
- 1.3 However, the application has been amended upon officer advice to remove the proposed extension and omit one of the proposed first floor apartments. This results in a total of 6 self-contained units.
- 1.4 In recognition of the lack of parking associated with the property a draft legal agreement has been submitted with the application. The effect of this agreement would be to prevent the future occupants of the apartments from ever becoming eligible for parking permits as part of the local residents' parking permit scheme. A copy of the draft agreement is appended to this application.

## **2. Policies**

### **2.1 Herefordshire Unitary Development Plan 2007:**

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport

DR2	-	Land use and activity
DR3	-	Movement
DR5	-	Planning obligations
H1	-	Hereford and the market towns: settlement boundaries and the established residential areas
H13	-	Sustainable residential design
H16	-	Car parking
H17	-	Sub-division of existing housing
HBA6	-	New development within conservation areas

### **3. Planning History**

3.1 None.

### **4. Consultation Summary**

#### Statutory Consultations

4.1 Welsh Water: No objections subject to conditions preventing the combined discharge of foul and surface water to the public sewerage system.

#### Internal Council Advice

4.2 Conservation Manager (in response to original proposal): "The proposed extension is not in keeping with the character of the house or the architecture of the site. It does not preserve or enhance the character of the conservation area and the loss of the section of garden would be most disappointing."

4.3 Subsequent to the receipt of these comments the extension has been removed from consideration. The objections of the Conservation Manager are thus overcome.

4.4 Traffic Manager: "I consider the location and proposed development to be suitable for car free, and this is confirmed by the applicant's supporting statement and proposed covenant to remove entitlement to residents parking permits. Contributions for sustainable travel should be sought at a rate of 1,750 per unit in line with the (draft) Supplementary Planning Document."

### **5. Representations**

5.1 Hereford City Council (in response to original proposal): "(Recommend) that the application be refused as it an over-intensive development. The City Council recommends that an application with fewer apartments would be acceptable."

5.2 One letter of representation has been received from Mr. C. Barnes, 11 Aylestone Hill, Hereford. These comments relate to the original proposal for 8 self-contained apartments. The content is summarised as follows:

1. Building in the garden is unacceptable within a conservation area.
2. Concern is expressed at potential parking problems.
3. Whilst the need for more housing is acknowledged, concern is expressed that the development is over-intensive.

5.3 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officers Appraisal

6.1 The key considerations in the determination of this application are as follows:

1. The principle of sub-division in this location with regard to the impact upon the conservation area;
2. The principle of allowing car-free development at this location;
3. The standard of accommodation provided.

6.2 Policy H17 of the Unitary Development Plan promotes the sub-division of existing housing provided that there is appropriate car parking, there is a satisfactory level of accommodation including internal layout and amenity space and that the proposal has no undue adverse impact upon the property and its curtilage, the amenity and privacy of neighbouring dwellings and the amenity and general character of the area.

6.3 The scheme has been amended to omit the rear extension and one of the proposed first floor apartments, with the effect that a total of **6** one-bedroom self-contained apartments, rather than **8**, are now proposed. The removal of the proposed new unit within the garden is considered to overcome the objections of the Conservation Manager, who was opposed to the construction of this structure within the garden.

6.4 In addition, one of the proposed apartments within the first floor has also been removed. This was undertaken upon officer advice. Taken together, the removal of these two apartments from the application is considered to overcome concern at the impact that the development would have upon the privacy of neighbours and the character of the conservation area – the development is now limited to the re-use of the existing building and modest single-storey extension. The number of apartments now proposed (6) is considered appropriate to both the character and appearance of the building and the wider area. It is noted that the City Council would be supportive of a scheme for fewer than 8 units, although their formal comment upon the amended scheme for 6 apartments had not been received at the time of writing.

6.5 The Traffic Manager advises that the location is appropriate for a car-free development. This is on the basis of proximity to the city centre and the type of accommodation proposed. These are one-bed apartments, less likely to attract car owners.

6.6 Allied to these factors, the applicant has submitted a draft legal agreement which would act to prevent future occupants from becoming eligible for local residents' parking permits. If entered into, this agreement would feature as a charge against the properties and the agreement is worded so that it is effective upon transfer of any of the apartments to future occupiers.

6.7 With the added protection afforded by the legal agreement, officers consider the proposal appropriate as a car free development. Notwithstanding this, further research is being undertaken in relation to best practice by other local authorities. It is possible that a suitably worded condition could provide the control required. The wording of the recommendation reflects the further consideration being given to these options.

- 6.8 The units proposed are fairly modest in terms of the habitable space. Typically the units offer open plan living, dining and sleeping accommodation with separate bathroom/WC. The Housing Act requires a minimum floor area of 13m<sup>2</sup> (140 square feet) for single room apartments with cooking facilities. Each of the units satisfies this requirement. Accordingly, there would appear to be no basis upon which to question the adequacy of the internal layout and standard of accommodation.
- 6.9 The external arrangements are greatly enhanced by the removal of the 'garden' apartment. There would remain a larger, more usable shared garden space and greater scope to position the communal cycle parking and bin storage without fear of intruding upon the residential amenity of residents of the scheme and near neighbours.
- 6.10 As amended the scheme is considered an appropriate and sustainable form of development within the conservation area.

### **RECOMMENDATION**

**Subject to no further objections raising additional material planning considerations at the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers.**

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. **B01 (Samples of external materials).**

**Reason: To ensure that the materials harmonise with the surroundings.**

3. **W01 (Foul/surface water drainage).**

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

4. **W03 (No drainage run-off to public system).**

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

5. **H29 (Secure covered cycle parking provision).**

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

6. **F39 (Scheme of refuse storage).**

**Reason: In the interests of amenity.**

7. **Condition concerning the ineligibility of future occupants of the apartment for residents' parking permits – precise wording to be determined.**

**Informatives:**

1. N15 - Reason(s) for the Grant of PP/LBC/CAC.
2. N19 - Avoidance of doubt.

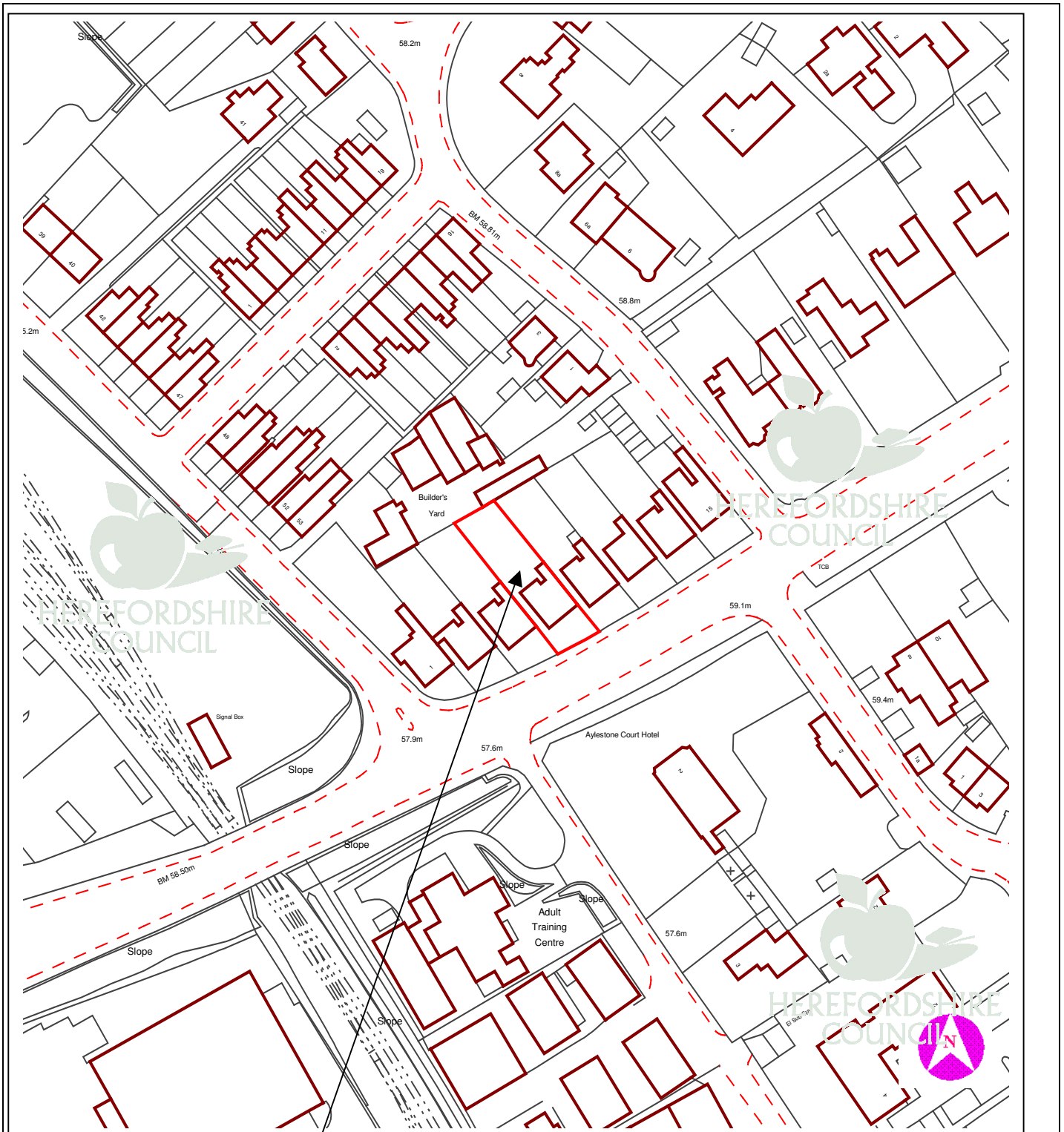
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2007/1763/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** 7 Aylestone Hill, Hereford, Herefordshire, HR1 1HR

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