

9 DCCW2007/3247/F - CONVERSION OF REDUNDANT BUILDING TO TWO RESIDENTIAL UNITS WITH EXTENSION TO EXISTING DWELLING AT KINGSLEY HOUSE, DINMORE, HEREFORD, HEREFORDSHIRE, HR1 3JP

For: Mr. E. Haslam per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH

Date Received: 16th October, 2007 Ward: Wormsley Ridge Grid Ref: 51024, 50875

Expiry Date: 11th December, 2007

Local Member: Councillor AJM Blackshaw

1. Site Description and Proposal

- 1.1 The application site forms part of a terrace of properties, located on the south eastern slope of Dinmore Hill, immediately adjacent to a classified road that leads from the A49(T) to the village of Bodenham.
- 1.2 The application site is comprised of a redundant commercial building and a vacant dwelling known as Coppice Cottage, the south western end of the building abuts a pair of dwellings known as Kingsley House and Kingfisher Creek respectively. The upper floors are level with the highway, with the ground falling away steeply to the east, providing access to the lower level at the rear.
- 1.3 The application seeks permission to convert the commercial building into two self-contained three bedroomed dwellings, including an extension of the existing cottage to provide an additional bedroom on the first floor above an enlarged and improved reception room. The three properties would have private gardens to the rear of the building and would be served by a divorced parking area located at the western end of the terrace.

2. Policies

2.1 National:

PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1 - Sustainable Development
Policy S2 - Development Requirements
Policy S3 - Housing
Policy DR1 - Design
Policy DR2 - Land Use and Activity
Policy DR3 - Movement
Policy H7 - Housing in the Countryside
Policy H13 - Sustainable Residential Design

- Policy HBA12 - Re-use of Rural Buildings
Policy HBA13 - Re-use of Rural Buildings for Residential Purposes

3. Planning History

- 3.1 DCCW2005/0114/F Conversion of redundant building to three residential units. Refused 11th March, 2005.
- 3.2 DCCW2005/2961/F Conversion of redundant building to two residential units. Withdrawn 9th November, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager: No objection, subject to conditions controlling the design and construction of the vehicular access.
- 4.3 Conservation Manager: The mitigation measures detailed in the ecological report are considered acceptable. Conditions controlling the construction of the bat loft are recommended.

5. Representations

- 5.1 Wellington Parish Council: No objection, but comment that at present most parking is on the road, therefore there should be sufficient off-road parking.
- 5.2 Mr. Davies, Kingfisher Creek - Objection.
- a) Issues of highways safety, arising from the potential for vehicles to be parked outside of the entrance when occupants of the proposed properties avoid having to walk from the car park.
 - b) The close proximity of the proposed parking area will give rise to disturbance and a loss of amenity, parking would be placed at the opposite end of the building.
- 5.3 Mrs. Marron, Hazel Mount - Objection. In principle I welcome the proposal as it will replace an ugly corrugated shed with a development which is more in keeping with the surroundings. However my concern is one of highway safety, my access is located directly opposite the proposed development, therefore if vehicles park in front of the building this will force vehicles travelling from Bodenham onto the opposite side of the road, increasing the risk of collision with vehicles emerging from my driveway. Furthermore the distance between the building and the highway is less than 1 metre and the front doors will open onto the road with no pavement, also the projecting porches may pose a risk to high-sided vehicles. I believe that the existing parking area for Coppice Cottage is too small.

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. Officer's Appraisal

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

- The Principle of Development
- Design and layout
- Residential amenity
- Access and Highways Issues
- Ecology

Principle of Development

6.2 The redundant commercial building is structurally sound, and save for re-cladding is capable of conversion without rebuilding or significant alteration. The building forms part of a terrace and is sandwiched between residential uses at either end. Therefore it is not considered that a commercial re-use of the building would be appropriate in this instance as it may harm the amenity of the existing dwellings. Consequently the proposal to convert the building into 2 new dwellings is acceptable in principle, subject to other material considerations being satisfactorily resolved.

Design and Layout of the Development

6.3 Although the existing commercial building is of not of significant architectural merit in its own right, being comprised of a tin clad upper floor, atop of a brick built lower floor. Since it forms part of a terrace of buildings its retention is considered to be both reasonable and necessary to maintain the unity of the adjoining residential properties.

6.4 Having consideration for the character and appearance for the existing property, the external appearance of the proposed development is considered to improve the visual relationship with the attached neighbours, as well as the appearance of the building within the wider landscape. However as originally submitted the application proposed the introduction of small porches above each of the entrance doors adjacent to the highway, which were considered to add an unacceptable sense of domestication to the external appearance of the building. Therefore following negotiations with the applicants agent they have been removed.

6.5 The proposed development will comprise two new three bedroom dwellings arranged over two floors, whilst the existing cottage will be extended into the northern end of the commercial building resulting again in a three bed roomed dwelling. Private amenity space for each unit will be provided to the rear.

6.6 Overall the design and layout is considered acceptable and the proposed development would not appear out of character with the wider locality. However to ensure the continued satisfactory appearance of the development it is considered expedient to remove permitted development rights.

Residential Amenity

6.7 It is acknowledged that the proposed development will inevitably alter the setting and outlook of the existing dwellings to which the commercial building is attached. However it is not considered that the proposal will result in an unacceptable level of overlooking

or overbearing impact, when measured against the existing relationship of those dwellings to each other.

- 6.8 With regard to the concerns raised in the letters of representation about a loss of privacy arising from the use of the new footpath linking the rear of the new dwellings with the parking area, given that the footpath is below the existing balcony it is not considered that there is any greater impact on privacy than presently arises out of the use of the existing private amenity space of the adjoining dwelling. Furthermore the modest increase in vehicular activity associated with the additional dwellings would not result in an unacceptable impact upon the amenity of the adjoining dwellings.
- 6.9 Overall the proposed development is not considered to give rise to any harm to the visual or residential amenity of the wider locality. However in order to protect the amenity of the area during the construction phase, standard conditions are recommended to control the hours of operation during the demolition and construction phases.

Access and Highways

- 6.10 The property is served by an existing vehicular access, which will be upgraded and improved. This provides access to an area of hard standing located at the western end of the terraced buildings and will provide off-road parking for the two new dwellings. An existing off-road parking area will serve the cottage adjacent to the highway located at the northern end of the building.
- 6.11 In principle the Traffic Manager has no objection to the access and parking arrangements but comments that details are required of the construction of the upgraded access. These comments are considered reasonable and the appropriate conditions are recommended.
- 6.12 Whilst the comments of the neighbours are noted, in the absence of an objection from the Traffic Manager, it is not considered that the concerns raised in the letters of representation can be substantiated as grounds for refusal on highway safety grounds.
- 6.13 In order to ensure that the adjoining highway is not obstructed during the construction phase a condition requiring the provision of a site operatives parking area is recommended.

Ecology

- 6.14 The application is supported by a detailed ecological report, which has revealed that the building is used as a roost site by bats. The report recommends mitigation measures to both protect the habitat during construction and post-development.
- 6.15 In response to consultation the Conservation Manager has confirmed that the scope and findings of the ecological report are satisfactory and has recommended that the mitigation measures proposed in the report are imposed by condition.

Conclusion

- 6.16 Overall the proposal complies with the relevant policies in the Unitary Development Plan, and as such, approval is recommended.

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

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

3. **C11 (Specification of guttering and downpipes).**

Reason: To ensure the satisfactory appearance of the development.

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

Reason: The local planning authority wish to control the resultant appearance of the building, in the interest of local amenity.

5. **F28 (No discharge of foul/contaminated drainage).**

Reason: To prevent pollution of the water environment.

6. **G01 (Details of boundary treatments).**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

7. **G04 (Landscaping scheme (general)).**

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

8. **H05 (Access gates).**

Reason: In the interests of highway safety.

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

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. **H27 (Parking for site operatives).**

Reason: To prevent indiscriminate parking in the interests of highway safety.

- 12. The mitigation and compensation measures to protect the habitat of species resorting to the building shall be concurrently carried out with the works to convert the property in accordance with the details set out in the ecological report submitted on the 12th September, 2007 and thereafter be retained in perpetuity.

Reason: In order not to disturb or deter the nesting or roosting of species protected by the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c) Regulations 1994 (as amended).

- 13. 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.

Informatives:

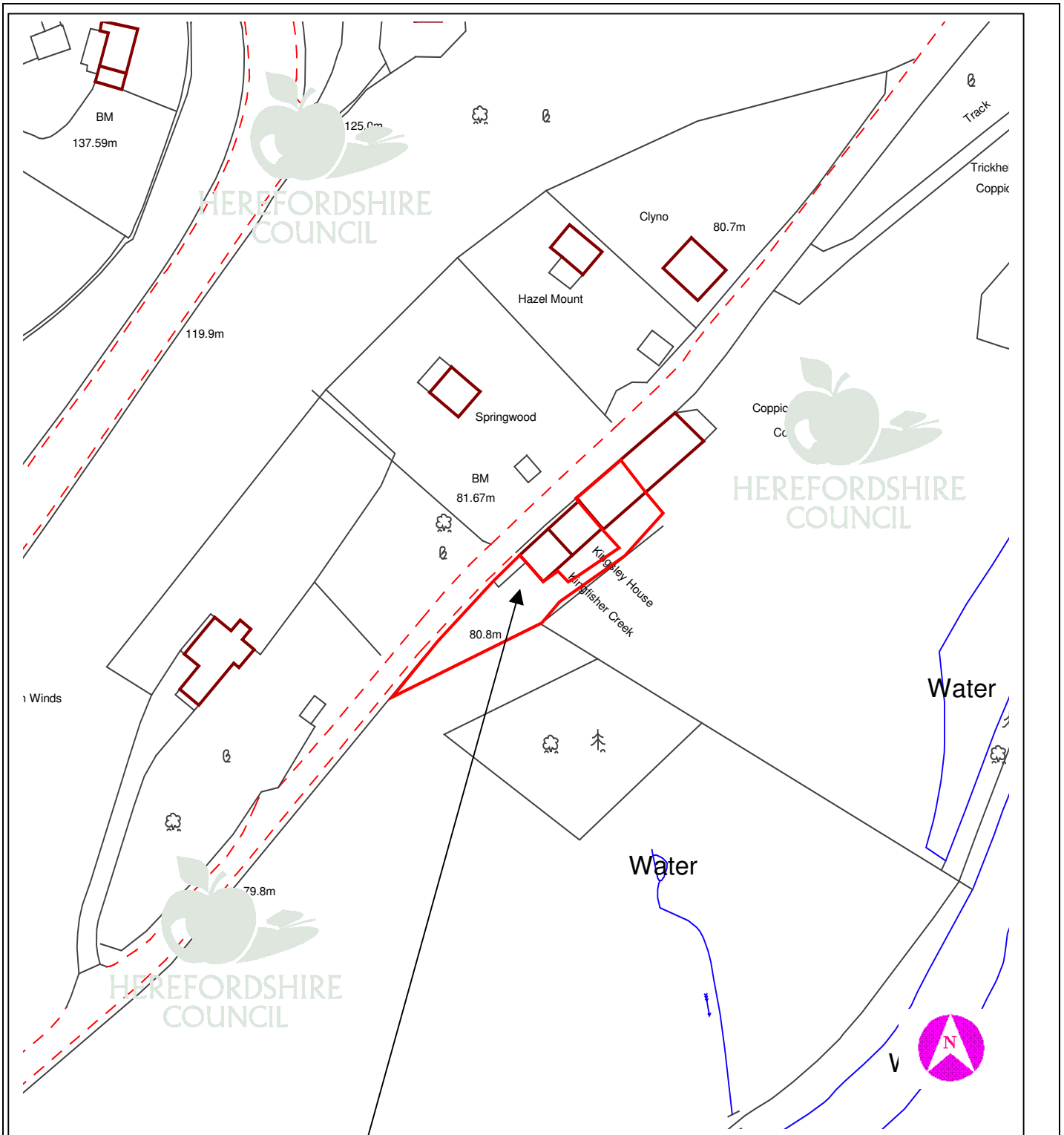
- 1. N01 - Access for all.
- 2. N03 - Adjoining property rights.
- 3. N11A - Wildlife and Countryside Act 1981 (as amended) - Birds
- 4. N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 - Bats
- 5. N14 - Party Wall Act 1996.
- 6. HN05 - Works within the highway.
- 7. HN10 - No drainage to discharge to highway.
- 8. HN13 - Protection of visibility splays on private land.
- 9. All machinery and plant shall be operated and maintained in accordance with BS5228: 1997 'Noise Control of Construction and Open Sites.'
- 10. N19 - Avoidance of doubt
- 11. N15 - Reason(s) for the Grant of PP/LBC/CAC.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2007/3247/F

SCALE : 1 : 1250

SITE ADDRESS : Kingsley House, Dinmore, Hereford, Herefordshire, HR1 3JP

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