

12 DCCE2007/3542/F - CHANGE OF USE FROM TWO FLATS (RESIDENTIAL) TO HOUSE IN MULTIPLE OCCUPATION AT 16 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1HS**For: Mr. M.J. Mohan & Mr. N. A. Beament, 16 Aylestone Hill, Hereford, HR1 1HS****Date Received: 14th November, 2007 Ward: Aylestone Grid Ref: 51900, 40477**
Expiry Date: 9th January, 2008

Local Members: Councillors NL Vaughan and DB Wilcox

1. Site Description and Proposal

1.1 No. 16 is a three storey red brick and pitched slate roofed property located on the southern side of Aylestone Hill approximately 70 metres northeast of the junction with Southbank Road. The property forms half of a pair of semi-detached properties with accommodation on three floors with a large garden to the rear and hardstanding to the frontage used for the parking of 6 to 7 vehicles. Immediately to the southwest is a further detached property which is Grade II listed and three detached properties opposite the site are also listed, the area being characterised by a mixture of large detached and semi-detached properties.

1.2 Planning permission is sought for the change of use of the property from a dwelling to a house in multiple occupation for the accommodation of nine occupants. The accommodation is arranged on three floors comprising of three bedrooms, kitchen, dining area and bathroom on each floor with access via a central stair plus hallway. No external or internal alterations are required other than general modernisation such as new kitchen, heating and fire safety works.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy H17	-	Sub-division of Existing Housing
Policy HBA6	-	New Development Within Conservation Areas
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T11	-	Parking Provision

3. Planning History

3.1 DCCE2007/1450/F Conversion of basement to self contained flat. Approved 6th July, 2007.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection subject to conditions relating to provision of parking and secure covered cycle storage.

4.3 Private Sector Housing: There is a shortage of this type of HMO accommodation in Herefordshire. The property is large and will lend itself to multiple occupancy subject to the requisite standards for HMOs in Herefordshire being met (in terms of occupancy numbers, facilities and fire precautions). An examination of the plans indicate that the facilities are adequate for the number of rooms.

Private Sector Housing has no objection in principle to the change of use to an HMO but would seek to limit the number of occupants permitted commensurate with the number of proposed kitchens, i.e. nine occupants with three kitchens.

4.4 Conservation Manager: We are becoming increasingly concerned about the potential changes to the character of this Conservation Area with many of the fine villas and town houses becoming houses in multiple occupancy. We would not object to this particular proposal but believe that this aspect needs to be carefully considered in the event of future proposals.

5. Representations

5.1 Hereford City Council: Recommends the application be refused as inappropriate development for the area.

5.2 Four letters of objection have been received from local residents. The main points raised are:

1. There are concerns whether the density of development meets satisfactory standards of accommodation for its inhabitants in accordance with Policy H17 (2) of the UDP.
2. Such multiple occupancy is likely to cause detriment to the amenity and privacy of neighbouring dwellings and the character of the wider area contrary to Policy H17.
3. We also suffer from noise transferring from the property to neighbouring property and additional sound insulation should be undertaken.
4. A hideous wooden fence has been erected along the frontage which exceeds one metre in height adjacent to the road.
5. The increase in the number of vehicles is causing difficulties in what is already a congested area in traffic terms with cars being parked on grass verges outside the property causing a danger for other cars, neighbours, students and pedestrians.

6. Significant works have already been undertaken to the property over the last six months but it is noted that the application is not retrospective.
7. It appears that the property is already in multiple occupancy.
8. There is a constant stream of people coming and going with the noise levels being extreme and the behaviour of most residents antisocial and often parties at weekends that go on all night.
9. It is only a matter of time before rogue tenants cause problems for local residents.
10. The proposal will devalue local property.

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 The lawful use of the existing dwelling is a single dwelling. Planning permission is sought for the utilisation of the existing dwelling to create a nine bedroomed house in multiple occupation with a kitchen and bathroom on each floor.
- 6.2 Policy H17 of the Herefordshire Unitary Development Plan 2007 relating to the sub-division of existing housing contains the criteria against which the proposal should be assessed. This policy states that:
 1. Such proposals should be permitted provided that adequate and public car parking and access is available as set out in Policy H16.
 2. There is satisfactory standard of accommodation provided including internal layout and private amenity space.
 3. The proposal has no undue adverse impact on the character of the property and its curtilage, the amenity of privacy of neighbouring dwellings, and the amenity and general character of the area.

Each criteria will now be considered.

- 6.3 The frontage of the property has been gravelled to create a hardstanding area with the capacity for seven vehicles including a manoeuvring area. Whilst this does not equate to one parking space per occupant, the property is located on the edge of the city centre with close links to both a bus stop and railway station and other local amenities. Adequate space also exists to create secure cycle storage within the curtilage. The Traffic Manager raises no objection to the proposal and considers the vehicular access and parking to be acceptable for the proposed use. As such, the development accords with Criteria 1 of Policy H17.
- 6.4 In considering the appropriateness of the property for the proposed use and number of occupants, the comments of Private Sector Housing who licence the property as a house in multiple occupation if planning permission is approved are relevant. They again support the application in terms of the general size of the property and standard of facilities. All of the bedrooms are of a double bedroom size and many are spacious by modern residential standards. There will be a ratio of one kitchen/dining area and bathroom for every three rooms which exceeds the standards that have to be achieved to obtain an HMO licence.

- 6.5 The property also has a generous garden to the rear along with other general facilities such as an utility and outside store. Furthermore, no internal or external alterations are required to achieve the conversion. The layout of the accommodation, its standard and level of facilities are therefore acceptable for the number of occupants proposed and therefore the requirements of Criteria 2 are satisfied.
- 6.6 The third criteria of Policy H17, which has perhaps generated the most objections, relates to the appropriateness of the use as a matter of principle for the site and area. As no internal or external alterations are proposed to accommodate the use, the proposal will have no impact on the character and appearance of the property or its curtilage. The hardstanding that has been created to accommodate the parking was undertaken under Permitted Development Rights and it would not be unusual with a property of this size for there to be 4 to 5 cars parked within the curtilage. As such it is also not considered that the proposal would have any undue adverse impact on the character of the curtilage. The proposal will also not have any additional impact on the privacy of the neighbouring properties.
- 6.7 Objectors have commented on problems with noise emanating from the property recently but there is no evidence to suggest that the occupation of the property as an HMO will lead to an adverse impact as a result of noise on neighbouring properties and ultimately any noise disturbance could be dealt with through the appropriate environmental protection legislation.
- 6.8 The final issue is therefore the impact of the proposal on the general character of the area. The use of the property as an HMO will inevitably increase the general activity within and to and from the property over and above its occupation as a single dwelling. However the property lies adjacent to a busy main road and footpath links are heavily trafficked by pedestrians and students and therefore there is already a good deal of activity throughout the week. There are not considered to be any other tangible impacts on the local area or its character and designation as a Conservation Area and there are no policies in the Herefordshire Unitary Development Plan 2007 which require large single houses of this nature to be safeguarded as single dwellings.
- 6.9 The property is therefore considered to be suitable and appropriate for occupation as a house in multiple occupation in accordance with Policy H17 of the Herefordshire Unitary Development Plan 2007.

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. **H10 (Parking - single house) (7 cars).**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

3. **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.

- 4. The development hereby permitted is for a maximum of nine occupants.**

Reason: To ensure a satisfactory standard of accommodation is maintained in accordance with Policy H17 of the Herefordshire Unitary Development Plan 2007.

Informatives:

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

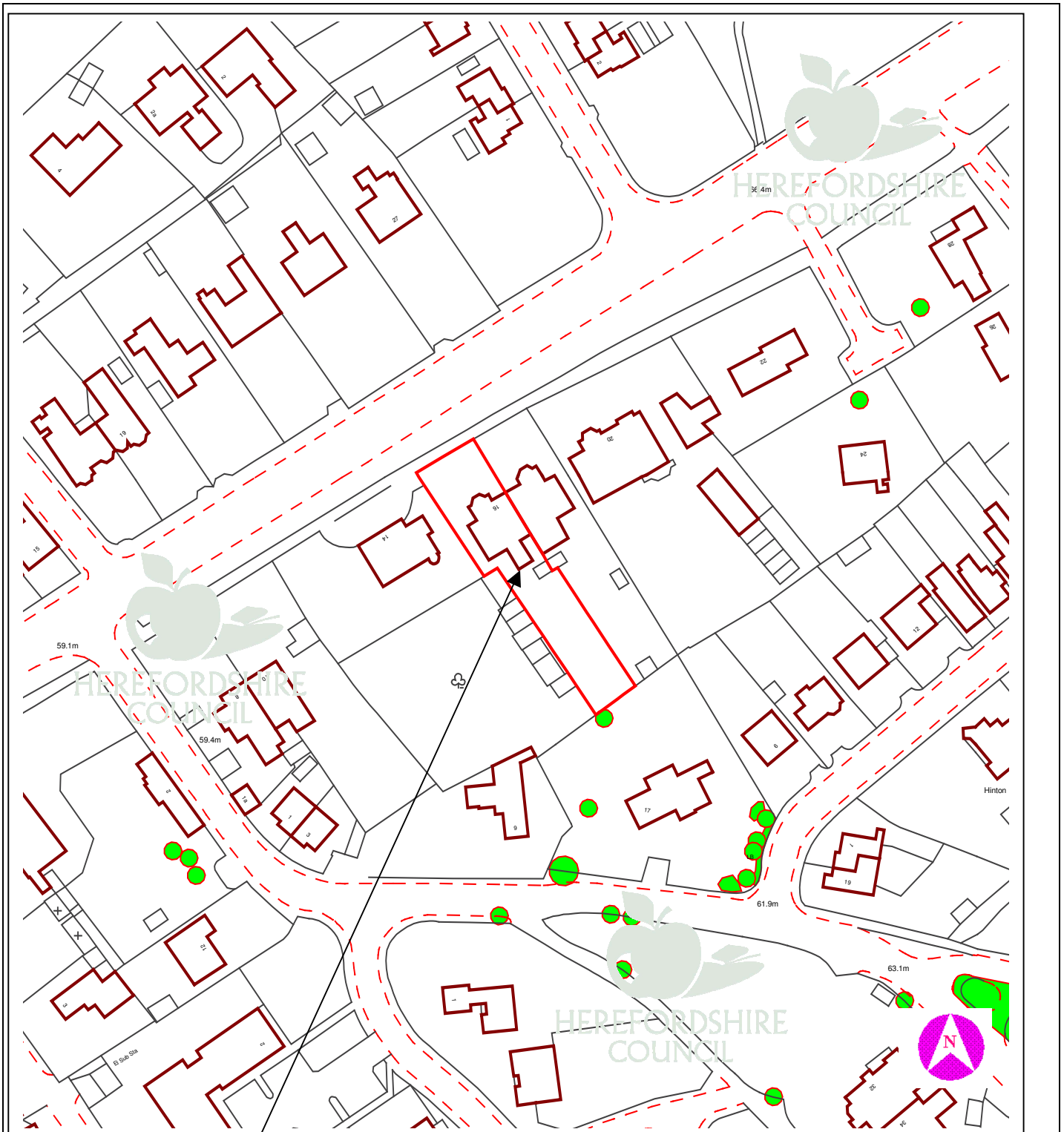
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2007/3542/F

SCALE : 1 : 1250

SITE ADDRESS : 16 Aylestone Hill, Hereford, Herefordshire, HR1 1HS

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