

9 DCCE2008/0442/F - CONVERSION OF GROUND, FIRST AND SECOND LEVELS OF TOWNHOUSE INTO SIX SELF CONTAINED FLATS WITH SINGLE STOREY EXTENSION AND PARKING AT 16 AYLESTONE HILL, HEREFORD, HEREFORDSHIRE, HR1 1HS

For: Aylestone Hill Developments Limited per Mr. C. Goldsworthy, 85 St. Owens Street, Hereford, Herefordshire, HR1 2JW

Date Received: 20th February, 2008 Ward: Aylestone Grid Ref: 51900, 40477

Expiry Date: 16th April, 2008

Local Members: Councillors N.L. Vaughan and D.B. 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 including the construction of a single storey extension to the rear to create six self contained one bedroomed flats - two on each floor. No external alterations are proposed to the front and side elevations. Internally, new partitions are proposed to create a bathroom to serve each flat and sub-divide the shared stair access on each floor to meet the necessary Building Regulations and fire safety requirements. Three rooflights are also proposed on the rear elevation to provide additional light to the second floor flat.

1.3 Also proposed to the rear is the demolition of existing single storey rear extension and attached outbuilding and construction of a new single storey flat roofed rear extension measuring 9.5 metres in length by 8 metres in width by 4 metres in height to the highest point. Part of the roof of the extension is to be used as an outside amenity space associated with a first floor flat. To the front, parking for up to seven cars is proposed along with associated secure enclosed cycle and bin store to the side.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S6	-	Transport

Policy S7	-	Natural Land 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 H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H17	-	Sub-division of Existing Housing
Policy HBA6	-	New Development Within Conservation Areas
Policy HBA7	-	Demolition of Unlisted Buildings Within Conservation Areas

3. Planning History

- 3.1 DCCE2007/1450/F Basement conversion to self-contained flat. Approved 6th July, 2007.
- 3.2 DCCE2007/1452/C Basement conversion to self-contained flat. Application not required 6th July, 2007.
- 3.3 DCCE2007/3542/F Change of use from two flats (residential) to house in multiple occupation. Refused 23rd January, 2008.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to restrictions on foul and water drainage discharge.

Internal Council Advice

- 4.2 Traffic Manager:
The proposal to create seven spaces is accepted but tandem parking may not be appropriate with separate flats. A sustainable transport contribution should also be sought.
- 4.3 Conservation Manager:
This is a fine 19th century town house. The extension to the rear probably dates to the late 19th C. The proposals would have a relatively minimal impact to the character and appearance of the conservation area. However it would be recommended that the fence be removed and a more appropriate boundary treatment be introduced as part of the scheme. The proposal is however acceptable.
- 4.4 Strategic Housing:
Private Sector Housing has no objections in principle but has concerns with the extent of natural light for the ground floor bedroom serving flat 2. The requirements of the Housing Act 2004 Part 1 - Housing Conditions should also be satisfied. These are measures largely covered by Building Regulations including noise insulation between flats, ventilation to the kitchen and bathroom areas, fire safety regulations and the height and size of rooms.

5. Representations

- 5.1 Hereford City Council: No objections to the application but there are concerns about parking and access.
- 5.2 Conservation Advisory Panel: Recommend refusal as the design does not enhance the Conservation Area. Roadside fencing is ugly, car parking is tight, rear extension is out of proportion and design is out of keeping with a Victorian building.
- 5.3 Four letters of objection have been received, two from 14 Aylestone Hill, one from The Coach House, Aylestone Hill and one from a neighbouring property at 18 Aylestone Hill. The main points raised are:
1. The current proposal does not address the reasons for the refusal of recent application to convert the property to a house in multiple occupation.
 2. The property, its curtilage and the area does not lend itself to high density development.
 3. The proposed tandem parking is unsatisfactory with cars undoubtedly being blocked in.
 4. The proposal is out of keeping with current residential environment of the area.
 5. Additional traffic entering and leaving the site could cause a danger to pedestrians.
 6. The layout is unsatisfactory and provides no reasonable secondary means of evacuation from upper floor.
 7. The first floor terrace will increase overlooking of neighbouring property.
 8. The rear extension to accommodate a further flat is unnecessary development.
 9. Increased traffic and general noise will cause disturbance to adjacent occupiers.

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 Members will see from Section 3 of the report that planning permission was recently refused by the Central Area Planning Sub-Committee for the conversion of the property to a house in multiple occupation. Concerns particularly existed regarding the format of the accommodation and consequential impact upon the character and amenity of the area.
- 6.2 This application proposes the sub-division of the property into six one bedroomed flats. Each flat would have either a separate or open plan living room, kitchen/dining area, double bedroom and bathroom. The rear ground floor flat being accessed via separate entrance with the remainder accessed by a central stairwell. Each flat however will effectively have its own front door.
- 6.3 Policy H17 of the Herefordshire Unitary Development Plan sets out the primary criteria against which this application should be judged. The policy states that sub-division of existing residential buildings will be permitted providing several criteria are met.

Adequate and appropriate car parking and access is available as set out in Policy H16.

- 6.4 Policy H16 sets a maximum parking standard of 1.5 spaces per dwelling with no minimum level of provision. A total of seven parking spaces are proposed which

equates to one space per unit (including the already permitted basement flat). However, the proposed parking layout indicates that some of the parking will be in a tandem format, which is clearly not ideal to serve separate dwellings. Removing the tandem formation would enable the creation of five spaces in total along with the necessary manoeuvring to enable a vehicle to enter and leave the site in a forward gear. Although this is less than one space per unit, given the location of the site in relation to the bus and railway stations and all the necessary amenities within the city centre, it is considered that five spaces is adequate and accords with Policy H16 and Criteria 1 of Policy H17.

A satisfactory standard of accommodation is provided including internal layout and private amenity space.

In terms of the number of flats being created, this is largely dictated by the constraints of the existing building. In this regard alongside the rear extension, the creation of six flats will not result cramped in accommodation or general standards of amenity being sacrificed. As such the principle of six flats along with the permitted basement flat is acceptable on the site.

- 6.5 It is clear from the floor plans that each flat accommodates the necessary facilities required to create a satisfactory standard of accommodation and each flat will have their own front door. Two of the flats will also have their own private garden/terrace area at ground and first floor with the remainder having use of the large communal garden. Therefore, Criteria 2 of policy H17 is satisfied.

The proposal has no undue adverse impact on the character of the property and its curtilage, on the amenity and privacy of neighbouring dwellings and the general character of the area.

- 6.6 No alterations are proposed to the front or side of the property with the exception of the creation of two freestanding structures to accommodate bin and cycle stores. To the rear, an existing extension and outbuilding are to be demolished to accommodate a new extension. The existing extensions are of little merit. The rear extension has a flat roofed design constructed from red brick to match the existing property with timber windows and fully glazed south elevation with solar louvers at the upper level. The flat roofed design, although at odds with the form of the original dwelling ensures the impact is reduced on the neighbouring dwelling.
- 6.7 The footprint does encroach further southwards than the existing outbuilding and will result in a reduction in the amount of light received in the neighbouring properties ground floor windows. To address this, the applicants are amending the design either by reducing the height and/or depth of the extension and amended plans are awaited.
- 6.8 The use of part of the first floor of the extension as an outside amenity space would ordinarily not be acceptable but the neighbouring property uses the flat roof of their extension in a similar manner and therefore the impact on neighbouring amenity is considered acceptable. This is subject to an increase in the height of an obscure screen between the two areas, this is also considered acceptable. The only other alteration on the rear elevation is the insertion of three roof lights, which will be relatively inconspicuous both in terms of their size and position. It is therefore not considered that the proposed use or alterations will have any adverse impact on the character of the property, its curtilage or the amenity or privacy of neighbouring dwellings.

- 6.9 The area generally is not characterised by a predominant land use comprising a mixture of single dwellings, larger houses converted to flats, houses in multiple occupation and other business uses. As such it is not considered that the creation of further flats in the locality would be out of character with the area, if indeed a specific character defined by land use could be identified. The creation of several flats will undoubtedly increase the general activity within the curtilage of the property and consequently may lead to an increase in noise levels. However, noise attenuation measures may be required by Building Regulations approval and controls exist through other legislation if a statutory nuisance occurs. It is not considered that there is any evidence to suggest that the proposal will result in an unacceptable impact on the amenity of neighbouring properties.
- 6.10 The application does not presently encompass any Section 106 contribution although a contribution towards sustainable transport has been sought by the Traffic Manager. As the application is submitted in advance of the adoption of the Supplementary Planning Document on Planning Obligations, it is not considered that any other contributions can be justified from the development. The applicant is yet to agree to the sustainable transport contribution.
- 6.11 The proposal is to create six self contained one bedroomed flats, each with their own front door and essentially addresses the majority of the concerns expressed by Members and third parties in respect of the previously refused application. The development is considered acceptable and in accordance with the relevant Unitary Development Plan policies and policy H17 in particular.

RECOMMENDATION

Subject to the receipt of suitably amended plans relating to a reduction in the scale/height of the rear extension and (subject to agreement between the Council and the applicants):

- 1) The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms appended to this report and any additional matters and terms that he considers appropriate.**
- 2) Upon completion of the aforementioned planning obligation the Officers named in the Scheme of Delegation to Officers be authorised to issue a planning permission 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. H13 (Turning area and parking).**

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

4. 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.

5. Notwithstanding the submitted details, the proposed privacy screen at first floor along the eastern boundary between No. 16 and No. 18 Aylestone Hill shall be at a minimum height of 1.8 metres above the roof level of the extension and glazed with obscure glass. The details of which shall be submitted for the approval in writing of the local planning authority prior to the commencement of development. The screen shall be maintained in perpetuity in accordance with the approved details thereafter.

Reason: To safeguard the residential amenity of neighbouring property.

Informatives:

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

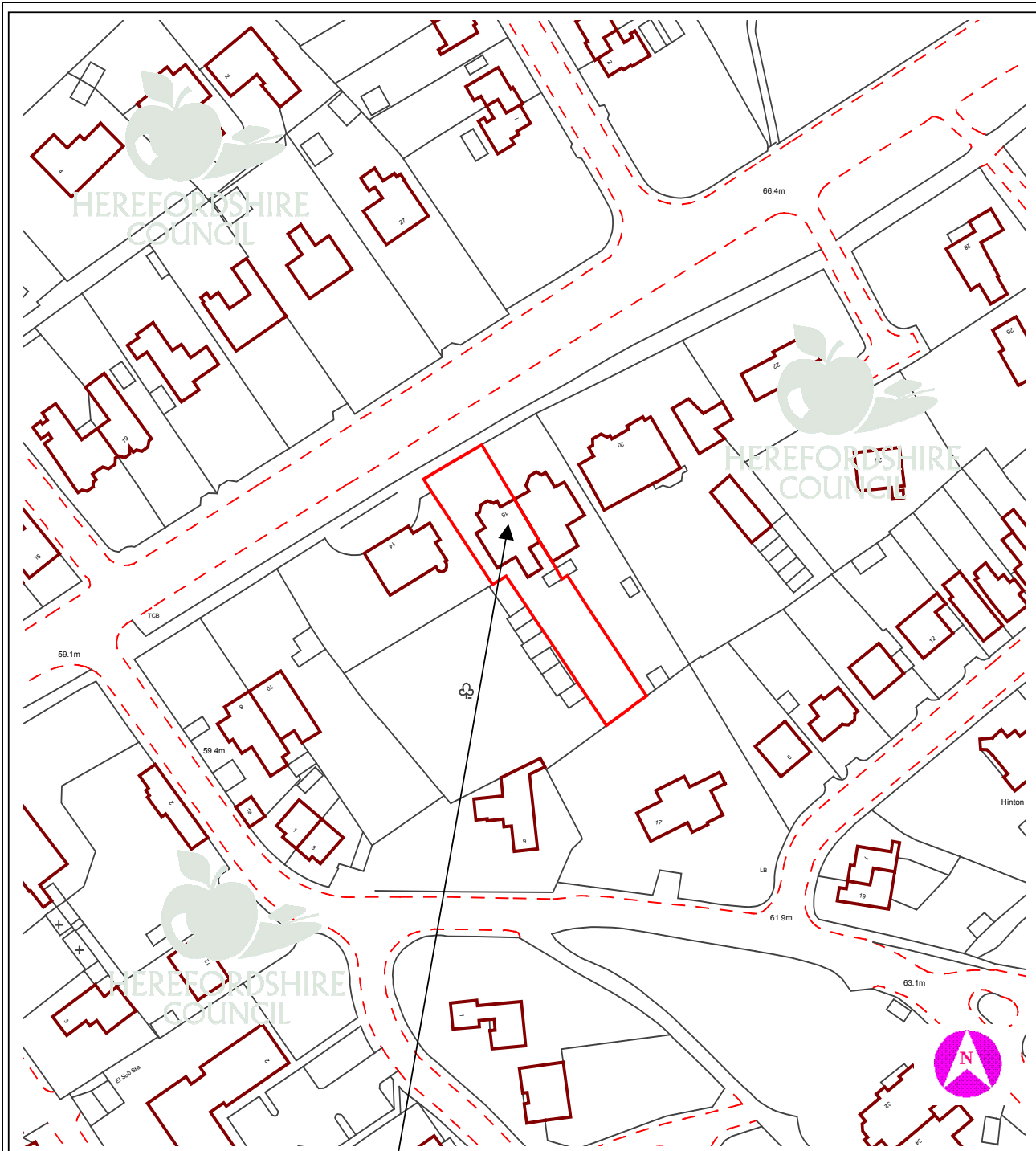
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2008/0442/F

SCALE : 1 : 1250

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

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NOT AGREED BY APPLICANTS AT TIME OF WRITING REPORT

DRAFT HEADS OF TERMS Proposed Planning Obligation Agreement Section 106 Town and Country Planning Act 1990

Planning Application – DCCE2008/0442/F

Conversion of ground, first and second floor levels of townhouse into six self contained flats with single storey extension and parking

At 16 Aylestone Hill, Hereford.

1. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £7,325 for off site highway works and improved sustainable transportation infrastructure to serve the development which sum shall be paid prior to first occupation of the development.
2. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - a) Traffic calming and improved signage
 - b) Localised junction improvements
 - c) Safe Routes for Schools measures
 - d) Improved bus infrastructure in the locality of the application site
 - e) Improve lighting to highway routes leading to the site
 - f) Improved pedestrian and cyclist connectivity with the site
 - g) Improved pedestrian crossing facilities
3. In the event that Herefordshire Council does not for any reason use the said sum of Clause 1 for the purposes specified in the agreement within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
4. All of the financial contributions shall be Index linked.
5. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

Russell Pryce Team Leader - Central
04th April, 2008