

9 DCCE2008/1235/F - CONVERSION OF EXISTING DWELLING INTO TWO DWELLINGS AND ONE PROPOSED NEW DWELLING AT 2 THE STABLES, SOUTHBANK ROAD, HEREFORD, HR1 2TJ

For: Messrs Newlove & Clifford per D A Forrest, Court Cottage, Bartestree, Herefordshire, HR1 4DA

Date Received: 12 May 2008 Ward: Aylestone / Central Grid Ref: 51815, 40417

Expiry Date: 7 July 2008

Local Members: Councillors NL Vaughan and DB Wilcox / MAF Hubbard

1. Site Description and Proposal

- 1.1 Planning permission is sought for the erection of a single dwelling and sub-division of the existing four bed dwelling to two dwellings at The Stables, 2 Southbank Road, Hereford. The site is currently the garden to The Stables, which is a converted former outbuilding to Aylestone Court Hotel, found a short distance to the west. The site is within the Aylestone Hill Conservation Area. Vehicular and pedestrian access is given by the existing gated access from Southbank Road.
- 1.2 The existing dwelling is a two storey, converted brick building under a slate roof. The solid rear wall forms the boundary along the pavement to Southbank Road and is thus a prominent feature. The building has a long linear form and it is proposed to sub-divide to create two, two bed dwellings with parking. Also proposed is the erection of a four bed dwelling to the southern corner, on the site of an existing single garage.
- 1.3 The new dwelling would be constructed gable end onto Southbank Road. It is of two storey brick construction under a plain tile roof. Its design and positioning relative to the neighbour to the south have been amended to bring about a better spatial relationship.
- 1.4 The resultant three dwellings all have two independent parking spaces accessed from the same, shared gravel drive. Each also has its own private garden.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

| | | |
|-----|---|--|
| S1 | - | Sustainable development |
| S2 | - | Development requirement |
| S3 | - | Housing |
| DR1 | - | Design |
| DR2 | - | Land use and activity |
| DR3 | - | Movement |
| DR5 | - | Planning obligations |
| H1 | - | Hereford and the market towns: settlement boundaries and established residential areas |
| H13 | - | Sustainable residential design |

- H14 - Re-using previously developed land and buildings
- H16 - Car parking
- H17 - Sub-division of existing housing
- HBA6 - New development within conservation areas

3. Planning History

- 3.1 DCCE2007/3152/J - Fell 2 Lawson Cypress and one Spruce tree. Approved on the condition that three replacement trees be planted before the end of season 2009.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: Recommend standard conditions regarding the treatment of foul and surface water drainage.

Internal Council Advice

- 4.2 Traffic Manager: Recommends cycle storage for each of the dwellings and asks for a Section 106 contribution to reflect the intensification of use. This is £4,301 in line with the SPD towards pedestrian/cycling improvements in the vicinity.
- 4.3 Conservation Manager: Expressed concern at the original detailing, including the porch, absence of brick detailing and chimney stack. Amended plans have largely addressed these issues.
- 4.4 Education Manager: There is surplus capacity at both the local primary and secondary schools. We are therefore unable to ask for an educational contribution for this development.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 A total of five letters have been received from surrounding properties. The comments are summarised as follows:
1. Mr. & Mrs. Jones, Chelsey House, Southbank Road, Hereford: Sub-division of the existing dwelling is sensible; The additional four bed dwelling would constitute over-development of the site and potentially triple traffic levels on a busy bend.
 2. Mrs. Copping, 3 Rockfield Road, Hereford: Concerned at potential loss of privacy arising from new house and the proposed hours of construction.
 3. Mr. J. Holloway, Proprietor Aylestone Court Hotel: Disposal of foul waste should not be via drains across Aylestone Court Hotel land, which are at capacity.
 4. Two letters have been received from and on behalf of Mrs. D. Helme, 12 Southbank Road, Hereford (the nearest neighbour): Concerned that the new dwelling would be in close proximity to the objector's dwelling and would potentially overshadow the garden.

- 5.3 Conservation Advisory Panel: Principle of sub-division is acceptable. The new detached house is inappropriate in this area; a mews style development would be more appropriate.
- 5.4 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 application seeks planning permission for the sub-division of the existing dwelling on site and the erection of a new four bed dwelling. The application has been amended to improve the design of the new dwelling and the layout on site with regard to parking, apportionment of garden areas and the relationship with existing neighbours. The key issues in the determination of the application are as follows:
- The principle of development having regard to the Conservation Area designation;
 - The impact of development upon the existing neighbouring development;
 - The implications of the intensified use of the existing vehicular access.
- 6.2 The site is within the Conservation Area, where new development should either preserve or enhance the character or appearance of the area. In this instance the existing dwelling occupies a roadside location. The remainder of the site is domestic curtilage. A small, single garage occupies part of the footprint of the proposed dwelling. The site is not particularly well-tended and it is considered that appropriately designed and sited development will enhance the quality of the area.
- 6.3 The principle of better utilising existing housing stock is well established and this principle also extends to the re-use of previously developed land, particularly those that are in sustainable locations. In this instance the sub-division of the existing dwelling is not contentious. The location is sustainable and adequate internal and external arrangements are catered for. The result would be two, two bed dwellings each with a useable private garden and dedicated parking.
- 6.4 The erection of a new dwelling is more contentious given the Conservation Area designation. The proposed siting is the most practical having regard to the future residential amenity of existing and prospective inhabitants. The dwelling would be offset from the front of the sub-divided dwelling with the objective that direct overlooking would not be possible. The position of the dwelling has also been amended, together with the parking layout and landscaping. The dwelling has been moved 2 metres further towards Southbank Road with the objective of preserving the amenities of nearby residential dwellings whilst allowing the dwelling to 'read' as part of the street.
- 6.5 Additional features of architectural interest have also been added. These include a detail brick course under the eaves to replicate that on the existing dwelling, whilst the porch and fenestration detailing has also been reviewed to better reflect the local vernacular. A chimney has also been added to the south west facing gable elevation.
- 6.6 The extent of the driveway and parking has been reduced significantly and hedgerow planting has been introduced to shield these areas from the public domain.
- 6.7 The Traffic Manager has not raised objection to the development on the grounds of highway safety and recommends permission subject to the completion of the parking

layout and provision of cycle storage prior to first occupation of the dwellings. A Section 106 contribution is required in line with the SPD. A draft Heads of Terms is appended to this report. The applicant has provided written acceptance to these terms.

Conclusion

- 6.8 The application promotes the sub-division of an existing dwelling to two smaller dwellings with parking and gardens. Changes to the external appearance of this building are minor. This element of the proposal is acceptable.
- 6.9 The erection of a single dwelling is also acceptable in principle. This is a suitably located, previously developed parcel of land. Subject to adherence to the amended plans, officers are satisfied that the proposal will preserve the character and appearance of the area.
- 6.10 Conditions are recommended to safeguard the future residential amenity of nearby residents and also address other concerns raised by objectors, including drainage.

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. **B03 (Amended plans).**

Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3. **B07 (Section 106 Agreement).**

Reason: In order to provide enhanced sustainable transport infrastructure, in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.

4. **C01 (Samples of external materials).**

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

5. **D04 (Details of window sections, eaves, verges and barge boards).**

Reason: To ensure that the work is carried out in accordance with details that are appropriate to the safeguarding of the architectural or historic interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policy HBA12 and HBA13 of Herefordshire Unitary Development Plan

6. D05 (Details of external joinery finishes).

Reason: To ensure that the work is finished with materials, textures and colours that are appropriate to the safeguarding of the architectural or historic interest of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policy HBA12 and HBA13 of Herefordshire Unitary Development Plan.

7. D10 (Specification of guttering and downpipes).

Reason: To ensure that the rainwater goods are of an appropriate form in the interests of the building (as one which is in a conservation area, or of local interest) and to comply with the requirements of Policy HBA12 and HBA13 of Herefordshire Unitary Development Plan.

8. I16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

9. F14 (Removal of permitted development rights).

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H13 of Herefordshire Unitary Development Plan.

10. F16 (No new windows in specified elevation).

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

11. L01 (Foul/surface water drainage).

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

12. 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 and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

13. H29 (Secure covered cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

14. F17 (Obscure glazing to windows).

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

15. G10 (Landscaping scheme).

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

16. G11 (Landscaping scheme - implementation).

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

Informatives:

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

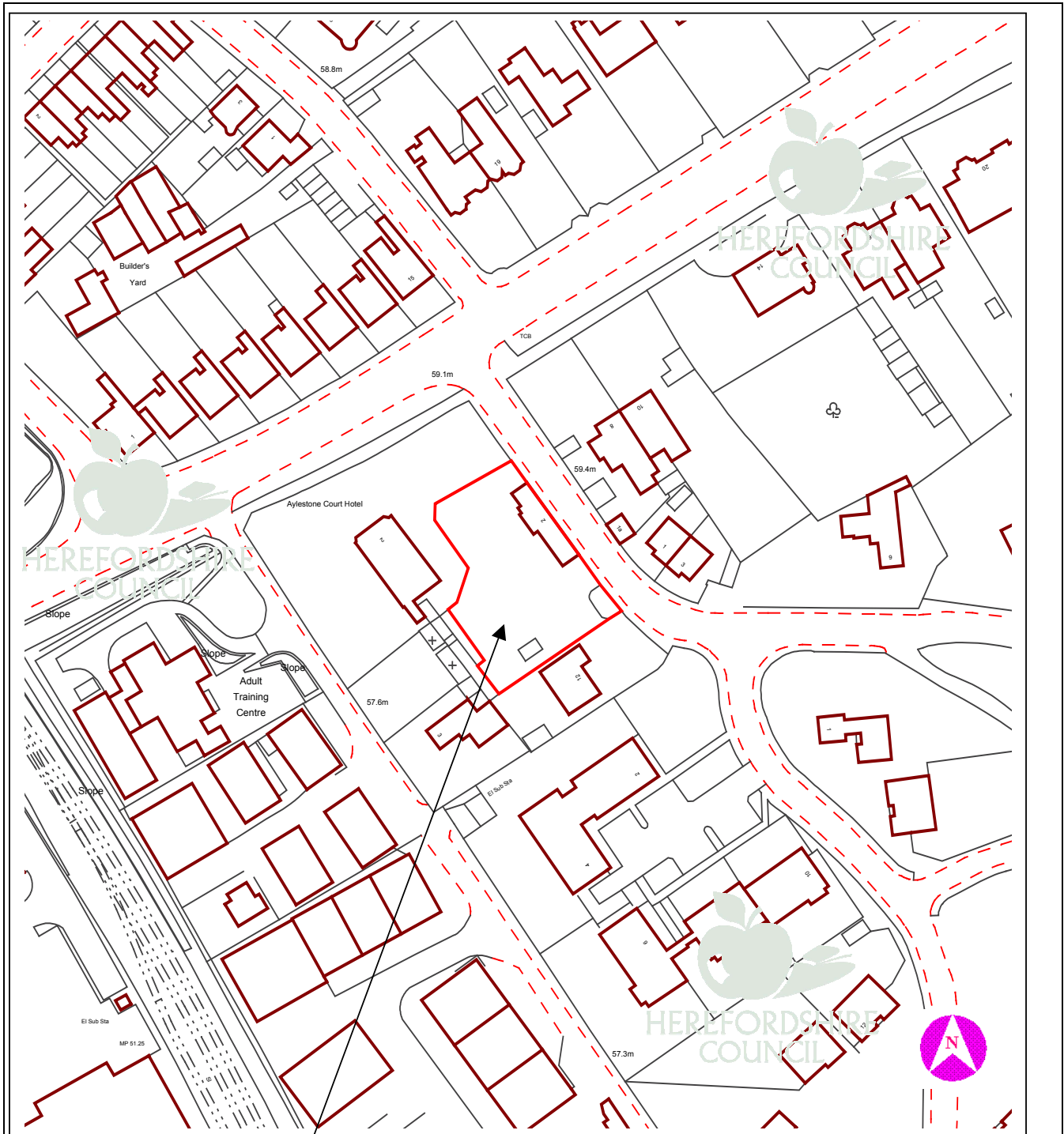
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2008/1235/F

SCALE : 1 : 1250

SITE ADDRESS : 2 The Stables, Southbank Road, Hereford, Herefordshire, HR1 2TJ

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

Planning Application – DCCE2008/1235/F

- Conversion of existing dwelling into two dwellings and erection of one new dwelling

2 The Stables, Southbank Road, Hereford, HR1 1TJ.

1. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £4,301 towards the delivery of sustainable transport initiatives within the locality.
2. The financial contribution shall be indexed linked and paid on or before the commencement of the development or in accordance with a timetable to be agreed in writing with Herefordshire Council.
3. In the event that Herefordshire Council does not for any reason use the sum referred to above, for the purposes specified in clause 1 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. 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.
5. In the event that the agreement is not completed before the application is determined, it shall be completed within three months of the date of the planning permission. Otherwise the application will be considered 'deemed withdrawn'.

Mike Willmont
Team Leader - Central

22 July 2008