

**1 DCCE2003/2639/F - CONVERT EXISTING  
OUTBUILDINGS TO ANNEX APARTMENT AT 15  
JUDGES CLOSE, HEREFORD, HR1 2TW****For: Mr. & Mrs. Deverill per Mr. J.E. Smith, Parkwest,  
Longworth, Lugwardine, Hereford****Date Received: 1st September 2003      Ward: Aylestone      Grid Ref: 52242, 40268****Expiry Date: 27th October 2003**

Local Members: Councillor D.B. Wilcox and Councillor A.L. Williams

This application was deferred at last month's meeting to enable a Members site visit. This was undertaken on 10th November 2003. The report and recommendations below remain unaltered from last month's meeting.

**1. Site Description and Proposal**

- 1.1 The application site is a large detached dwelling located at the centre of an estate of modern detached dwellings known as Judges Close. The dwelling known as Crescent House is a single unit of accommodation with a large curtilage. Access is gained from Judges Close with a driveway leading to the dwelling, a number of garages and a total of 10 off road car parking spaces. Although the property can be considered a classical Victorian property, it is not Listed, nor does it lie within the Conservation Area.
- 1.2 The proposal is to convert a part of the existing dwelling and adjoining outbuildings to annex accommodation. This part of the building is located to the rear (east) of the property and will be at ground floor level only. The accommodation will form a bedroom, study, living room, bathroom, hall and kitchen. The only external alterations would be the insertion of three small velux rooflights. The works for the refurbishment of the outbuildings were previously approved under application no. CE2003/0921/F.
- 1.3 In some instances planning permission is not required for the conversion of an existing part of a dwelling into annex accommodation when it will not be let or sold separately. As the agent's letter or application documentation does not state the precise and exact use of the annex, conditions are recommended to control the use.

**2. Policies****2.1 Planning Policy Guidance:**

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG13	-	Transportation

**2.2 Hereford City Local Plan:**

H12	-	Established Residential Areas – Character and Amenity
H16	-	Alterations and Extensions

### 2.3 Herefordshire Unitary Development Plan (Deposit Draft):

H18 - Alterations and Extensions

## 3. Planning History

- 3.1 CE2003/0921/F - Replacement of conservatory, reconstruction of outbuildings and provision of gates and gateposts. Approved with conditions 12th May, 2003.
- 3.2 CE2003/3615/F - Extension to existing flat roofed garage. Approved with conditions 17th January, 2003.
- 3.3 CE2002/0977/F - Proposed extension to existing garage. Approved with conditions 7th May, 2002.

## 4. Consultation Summary

Internal Consultation Advice

- 4.1 Head of Engineering and Transportation: No objection.

## 5. Representations

- 5.1 Hereford City Council: No objection subject to any permission granted being subject to the condition requiring the annex to be used in conjunction with and not separately from the existing dwelling known as 15 Judges Close and further that no additional highway access be created from Judges Close into the curtilage of No. 15.
- 5.2 Six letters of objection have been received from Nos 11, 21, 32, 34, 36 and 38 Judges Close. A number of these letters contain issues which are not material planning considerations including unrelated on street parking. The relevant planning matters that are raised in the letters are summarised as follows:
  - The additional accommodation would increase the amount of rubbish at the premises which will exacerbate existing problems;
  - The incorporation of a low budget apartment would be a wholly inappropriate alteration to this classical and historical Victorian property;
  - Concern that the additional accommodation will increase traffic that will be parked on the road;
  - Concern that the premises are being used as a builder's yard for developer;
  - The architect's drawings unclear and description misleading;
  - The kitchen appears to be sited within the main property, whereas the application is based on change of use of outbuildings. A side doorway in the main property appears to be sealed off to create the kitchen. There appears to be no direct daylight into the kitchen;
  - The exterior wall of the apartment appears to be a single brick screed, based on a reduced thickness of the existing outbuilding wall, whereas an external wall is expected to have a double screed and cavity. There seems to be no emergency exit from the apartment.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## 6. Officers Appraisal

- 6.1 The application is for the alteration of the existing utility area to create an annex apartment to be used in association with Crescent House. It will provide a unit of living accommodation as described in Section 1. The main issues for consideration are the impact of the proposed unit of accommodation on the character of the existing dwelling and surrounding area, including impact on highway safety.
- 6.2 The proposed alterations to provide this unit of accommodation will not effect the external appearance of the dwelling except for the introduction of three small Velux rooflights. These could be inserted into the roof without the need for planning permission by virtue of the Town and Country Planning (General Permitted Development) Order. The annex will have two points of entrance, one from the main house and one from the rear garden. The annex is to be used as accommodation ancillary to the main dwellinghouse and as such a restriction on the separate sale or let of the unit is recommended. It is considered that any additional activity generated by the annex is likely to be limited having regard to the size and layout of the existing property and the intended ancillary use, and as such, no adverse harm would be caused to the amenities of the area.
- 6.3 Additional persons living at the property may increase traffic and pedestrian movements or impact on car parking. The existing dwelling has space for 10 cars to park within the curtilage which is ample provision for the existing dwelling and the annex. Details of the parking spaces can be requested by condition to ensure that they are retained for future use.
- 6.4 The local residents have raised concern over the arrangements for the disposal of waste and rubbish from the site. In a letter from the agent dated 14<sup>th</sup> October, 2003, it is stated that 'dustbins will be left for collection within the curtilage of Crescent House (C.1839) where they have been placed traditionally since 1946. The site is the former tradesman's entrance when the property was the Judges residence'. As this is not clear, a condition is recommended requiring details of the exact siting of the bin store to be submitted prior to commencement of any works in the interests of the proper planning of the development.

## 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 E15 (Restriction on separate sale)**

**Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.**

**3 E29 (Occupation ancillary to existing dwelling only (granny annexes))**

**Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.**

- 4 The development hereby permitted shall not commence until a plan showing an area within the application site for the parking and turning of one car associated with the annex has been submitted to and approved in writing by the local planning authority. The approved parking and turning area shall then be used and retained thereafter free of any impediment to such use.

Reason: In the interests of highway safety and to help prevent indiscriminate parking on the highway.

- 5 The development hereby permitted shall not commence until a plan showing an area within the application site for the storage of refuse has been submitted to and approved in writing by the local planning authority. The approved area for the storage of refuse shall then be used and retained thereafter free of any impediment to such use.

Reason: To ensure adequate provision for the storage of refuse from the dwelling in the interest of the amenities of nearby residents.

- 6. Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the Public Sewerage System.

- 7. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 8. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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

**Note to Applicant:**

- 1. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.