

8 DCCE0009/1813/F - ERECTION OF A SINGLE STOREY REAR EXTENSION AND SUBDIVISION OF EXISTING DWELLING INTO 3 DWELLINGS AT 10 CHILTON SQUARE, TUPSLEY, HEREFORD, HEREFORDSHIRE, HR1 1PS

For: Mr Hogg per Mr B Eacock, 1 Fine Street Peterchurch, Herefordshire, HR2 0SN

Date Received: 13 July 2009
Expiry Date: 21 October 2009

Ward: Tupsley

Grid Ref: 5294:4060

Local Members: Councillors MD Lloyd-Hayes, AP Taylor and WJ Walling

1. Site Description and Proposal

- 1.1 No. 10 Chilton Square is a three-storey, three bedroom end terraced dwelling with an integrated garage and a single storey rear extension, which is currently under construction, situated in a small cul-de-sac development serving 13 similar dwellings at Tupsley, Hereford. The site falls within an Established Residential Area and adjoins a local shopping centre, hot food take-away and local convenience stores. A public car park and garage blocks are located to the rear of the dwelling.
- 1.2 The area is characterised by high-density residential development. It is noted that four identical dwellings in the vicinity (Nos. 1, 2, 3 and 5) have been granted planning permission for the sub-division of the existing terrace dwelling into self-contained flats over the years. No. 11 has also converted the integrated garage into a habitable room. In 2007, planning permission was granted for the erection of a further three-storey end of terrace dwelling to the side of No. 1 to provide two self-contained flats.
- 1.3 This application seeks planning permission for the extension of the dwelling and conversion of the resultant building to residential apartments. The proposal involves the conversion of the ground floor area to form a one-bedroom bedsit and the enlargement of the single storey rear extension to form a further one-bedroom self-contained unit. The second floor and third floor of the dwelling will be converted into a three bedroom apartment. The net result would therefore be three self-contained apartments.
- 1.4 It is proposed that three off-street parking spaces and communal area will be provided to the side of the dwelling within the existing curtilage. A new vehicular access will be created to allow access via the public car park to the rear.
- 1.5 This application is a re-submission following an earlier refusal of a similar proposal for extension and conversion (Ref: DCCE2008/2134/F). The previous application was refused on the basis that the proposal was unable to secure adequate off-street parking spaces in perpetuity and therefore would lead to on-street parking that would be detrimental to highway safety. Also, the developer was unable to make reasonable measures to mitigate the direct impact of the development on the transportation, recreation and community services in the area.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
DR1	-	Design
DR3	-	Movement
DR5	-	Planning Obligations
H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
H13	-	Sustainable Residential Design
H15	-	Density
H16	-	Car Parking
H17	-	Sub-division of Existing Houses
T11	-	Parking Provision

3. Planning History

- 3.1 DCCE2008/2134/F - Sub-division of existing house to 3 residential units. Refused 14 October 2008.
- 3.2 DCCE2007/2408/F - Sub-division of three-storey apartment to provide ground floor bed-sit and single storey extension to provide granny annexe. Withdrawn 12 September 2007.
- 3.3 DCCE2005/2645/F - Alteration and extension to provide ground floor self-contained unit. Approved 22 September 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Traffic Manager: To enable the proposed development to be acceptable, adequate parking needs to be provided, and the inability to secure the legal agreement was a problem in respect of the previous application. Therefore a suitable condition must be included to ensure development does not commence until an agreement is in place securing access in perpetuity to the spaces shown.

5. Representations

- 5.1 Hereford City Council: Recommend refusal as this is an over development of a small site.
- 5.2 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The key issues in the determination of this application are:
- 1) The Principle of Development
 - 2) The Impact Upon the Character of the Area and the Amenities of Adjoining Residential Properties
 - 3) The Provision of Adequate Off-street Parking.
- 6.2 The site is located in an established residential area within the settlement boundary for Hereford City. The location is one where residential development would be considered acceptable in principle subject to satisfying detailed policy requirements. Policy H17 of the Herefordshire Unitary Development Plan acknowledges the useful contribution that the conversion of dwellings into small self-contained units can make to the supply of dwellings in the city. Therefore, it is considered that the principle of the sub-division of the existing dwelling into apartments is acceptable.
- 6.3 With regard to the proposed new residential unit, it is noted that a single storey extension is currently under construction, which project out 5.5m from the rear wall of the existing dwelling along the common boundary with No. 9. This proposal intends to enlarge this single storey element by extending 4.7m to the south east to create an 'L' shape development. The result of this development will form a one-bedroom self-contained unit. This new unit is of conventional design and sited to the rear. In this context, it is not considered that this new unit would represent a discordant feature in the surrounding area. The floor area of this unit is approximately 42.6 square metres, which is not considered unusually large in relation to the size of the accommodation as proposed. In view of the relationship with the neighbouring properties, it is not considered that the creation of this residential unit would have significant impact upon the neighbour's amenity. Subject to conditions to control boundary treatment and also restrict any new openings on the north west elevation to prevent the potential overlooking and loss of privacy.
- 6.4 Turning to the conversion of the main dwelling, it is noted that each of the proposed units will comprise bedroom, dining room, toilet/bathroom and kitchen. It is considered that the accommodation standard of each unit is acceptable in this instance. The comment from the City Council is noted. However, having regard to the high density character of the area and other similar developments in the vicinity, it is not considered that the scale of development alone could be substantiated as a reason for refusal.
- 6.5 With regard to the parking issues, a block plan has illustrated that three off-street parking spaces will be provided within the existing curtilage. The agent has also confirmed that an agreement has been reached with Herefordshire Housing to grant a permanent easement to allow the future occupier of the development to gain access via the public car park to the rear of the property, subject to the planning permission being obtained. With this agreement in place securing access in perpetuity, the proposal would satisfy the Council's parking requirement and it therefore is considered acceptable in highway safety terms.
- 6.6 The proposed development falls within the terms of the adopted Planning Obligations SPD and as such is liable for a range of Section 106 contributions. However in accordance with the decision of the Cabinet Member for Environment and Strategic Housing to relax the requirement for residential schemes for five dwellings or less

which came into effect on the 1 April 2009, the proposed development is exempt subject to the planning permission being limited to 12 months.

- 6.7 Overall, the issues in relation to the previous refused scheme have been addressed and subject to conditions, the proposal is now considered in accordance with the relevant planning policies and as such the application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 Time limit for commencement (full permission)**
- 2 B01 Development in accordance with the approved plans**
- 3 C03 Matching external materials (general)**
- 4 F15 No windows in side elevation of extension**
- 5 G09 Details of boundary treatments**
- 6 H06 Vehicular access construction**
- 7 H09 Driveway gradient**
- 8 H13 Access and parking**
- 9 I16 Restriction of hours during construction**
- 10 I42 Scheme of refuse storage (residential)**
- 11 L01 Foul/surface water drainage**
- 12 L02 No surface water to connect to public system**
- 13 L03 No drainage run-off to public system**
- 14 The development hereby permitted shall not commence until a complete legal agreement to confirm that a permanent easement to the adjoining public car parking area to serve the new vehicular access as shown on the approved block plan has been submitted and certified by the local planning authority**

Reason: In the interest of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirement of Policy T11 of the Herefordshire Unitary Development Plan 2007

Informatives:

- 1 HN01 Mud on highway**
- 2 HN05 Works within the highway**
- 3 HN10 No drainage to discharge to highway**

- 4 **N03 Adjoining property rights**
- 5 **N15 Reason(s) for the Grant of PP/LBC/CAC**
- 6 **N19 Avoidance of doubt - Approved Plans**

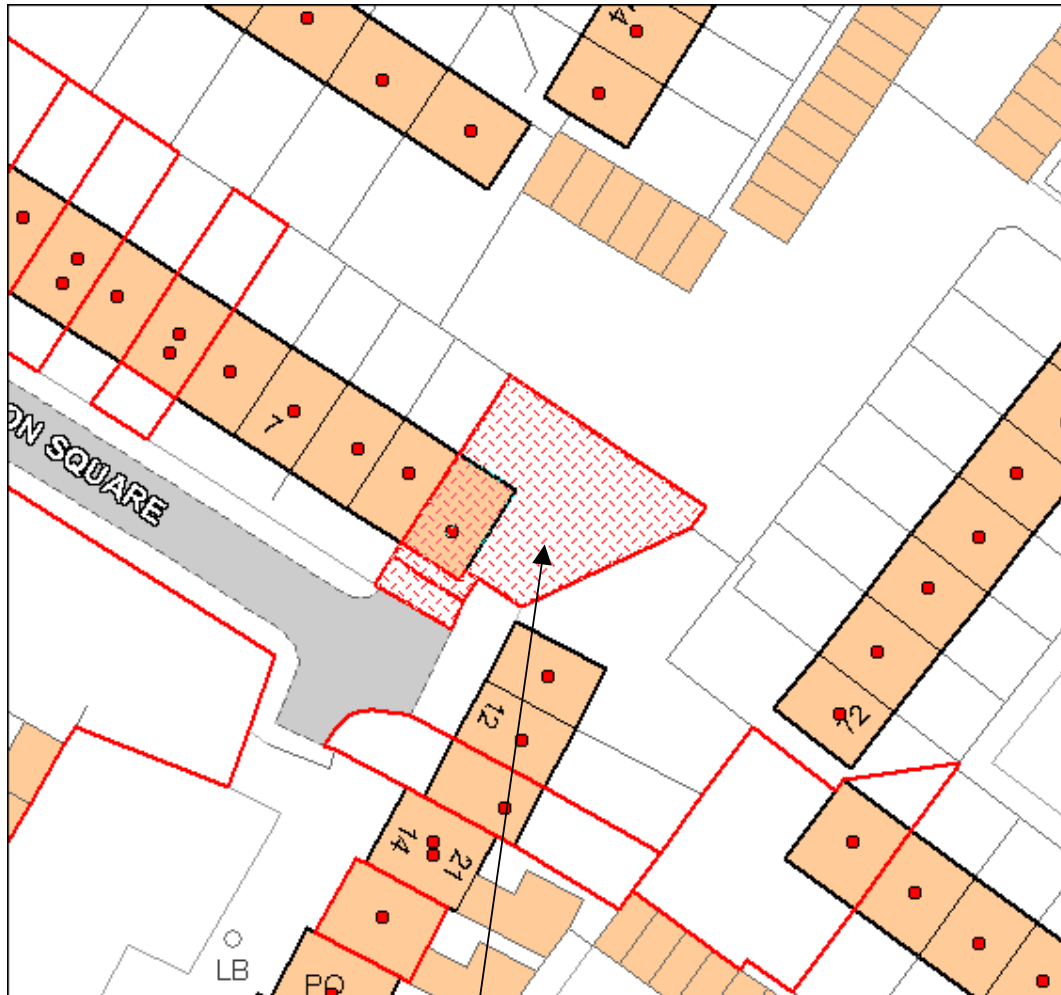
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : 10 CHILTON SQUARE, TUPSLEY, HEREFORD, HEREFORDSHIRE, HR1 1PS

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