

**DCCE2004/1340/F - CONVERSION OF DETACHED HOUSE INTO 4 NO. SELF CONTAINED LUXURY APARTMENTS WITH GARAGING AND PARKING AT CRESCENT HOUSE, 15 JUDGES CLOSE, HEREFORD, HR1 2TW**

**For: Mr. R. Deverill per Design & Project Services, 41 Widemarsh Street, Hereford, HR4 9EA**

**Date Received: 13 April 2004**

**Ward: Aylestone**

**Grid Ref: 52242, 40268**

**Expiry Date: 8th June 2004**

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

## **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 currently a single unit of accommodation set within a reasonably large residential curtilage. Members previously approved a granny annexe that is linked by condition to this dwelling. Access is gained from Judges Close with a driveway leading to the dwelling. There are two double garages plus off road parking alongside the existing driveway giving approximately 10 off road car parking spaces. The property is a classical Victorian property, it is not Listed nor does it lie within a Conservation Area.
- 1.2 The proposal is to convert the existing dwelling into four two-bed units of accommodation. Each unit would comprise two bedrooms, two bathrooms, lounge, kitchen / dining area with shared lobby. Residents would share amenity space and the plans show no subdivision of the garden area. The proposed plans also indicate that the car parking would be allocated at two spaces per unit plus a number of spaces for visitors. The only external alterations include a new window to the side elevation at ground floor level.

## **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  
H17 – Conversion of houses into apartments
- 2.3 Hereford Unitary Development Plan (Revised Deposit Draft)  
H17 – Subdivision of existing housing

### 3. Planning History

- 3.1 CE2003/2639/F - Convert existing outbuildings to annexe apartment. Approved with conditions 1 December 2003.
- 3.2 CE2003/0921/F - Replacement of conservatory, reconstruction of outbuildings and provision of gates and gateposts. Approved with conditions 12 May 2003.
- 3.3 CE2003/3615/F - Extension to existing flat roofed garage. Approved with conditions 17 January 2003.
- 3.4 CE2002/0977/F - Proposed extension to existing garage. Approved with conditions 7 May 2002.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Welsh Water - has no objections subject to conditions to ensure that foul and surface water is drained separately from the site and that surface water is not connected to the mains sewerage system.

#### Internal Council Advice

- 4.2 Head of Engineering and Transportation. No objection.
- 4.3 Chief Conservation Officer notes the proximity of trees covered by Tree Preservation Orders and concludes that providing that the existing areas of hard standing are not extended, it does not appear that the development will have any impact on the protected trees.

### 5. Representations

- 5.1 Hereford City Council: suggest a site visit to consider possible aesthetic compatibility with locality.
- 5.2 The application contained a supporting statement, summarised as follows:
  - This approach would enable most of the internal decorative features to be retained with the only external alteration being one window to the southern elevation.
  - In accordance with policy H12 the proposed scheme ensures that the residential area is protected and the principles of policy H17 are fully satisfied.
  - The standard accommodation comprises 4 No. two bed, 2 bath luxury apartments providing living space (excluding garage) of 1380 sq. ft. plus 550 sq. ft. cellar storage, 1430 sq. ft., 1345 sq. ft. plus 970 sq. ft attic storage and 755 sq. ft. of attic storage. These are significant properties in their own right that will provide large living accommodation comparable to modern houses and bungalows within the setting of Judges Close.
  - There would be no need for a new access and garage and off road car parking is available for residents and visitors.

- The plans take into account those trees with TPO's.
  - Whilst there may be concern relating to the change of status of the property in the sensitive residential scheme, it is believed that the scheme meets the planning criteria and, in so doing, would ensure that level of accommodation and amenity that would remain consistent within its setting.
- 5.3 Six letters of representatin have been received from No.'s 10, 11, 21 (x2), 34 and 38 Judges Close. The relevant planning matters that are raised in the letters are summarised as follows:-

Alternative solutions and use of building

- Concern over the loss of locally historic building
- Suggestions that building be split into units horizontally or vertically
- Concern that further divisions are not made for student accommodation / house in multiple occupation
- Letters from numbers 11, 34 and 38 note that whilst it would be preferable for the dwelling to remain as one unit, they accept the division into four apartments subject to the retention of the existing external appearance. They do, however, voice concern over further divisions and higher densities of accommodation.

Vehiclular traffic / safety / road congestion

- Impact of potential increase in traffic movements within the confines of Judges Close that could lead to congestion, noise, disturbance, air pollution, road damage and potential for accidents having regard to the road layout.
- Highway safety implications due to restricted entrance.

Waste disposal

- Concern over lack of designated area for bin storage for four apartments
- Bin storage area should be within confines of the site to prevent spillage onto the road.

Impact on trees / quality of area

- Concern over potential loss of trees due to extended parking area and impact on "ambience of the area".
- Concern over maintenance of trees / gardens and communal areas.

Drainage

- Capacity of existing sewerage system to take potential increse of users.
- Query maintenance of existing / shared drainage.

- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool House, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 The main issues for consideration in assessing this application relate to the requirements of Policy H17 of the Hereford Local Plan. This states:

"In considering the conversion of dwellings to smaller, self contained units of accommodation, regard will be paid to:

- a) the standard of accommodation to be provided;
- b) the adequacy of car paring provision and access arrangements;

- c) the impact on the character of the property, the amenity and privacy of neighbouring dwellings and amenity and general character of the area.

The environmental character and amenity of the Established Residential Area should also be considered.

- 6.2 The application is for the subdivision of the building into four two bed apartments. Although two bedroom units may be smaller in scale than many of the detached dwellings surrounding Crescent House, the provision of units of this size within an existing dwelling would not be uncharacteristic of such areas. Planning Policy Guidance Note 3 also states that conversion of housing can provide an important source of additional housing and that local planning authorities should adopt positive policies to promote such conversions. The provision of smaller units of accommodation of this type, for which there is a demand locally, is considered an acceptable level of accommodation.
- 6.3 It is accepted that the use of the building as four units instead of one is likely to generate an increase in traffic and movements, however the proposals do not include any alterations to the existing access. The Head of Transportation and Engineering raises no objection to the scheme and it is therefore considered that the access is adequate in its current form to provide safe access onto the highway without being detrimental to other highway users or pedestrians.
- 6.4 Car parking provision within the site is acceptable, with a minimum of two spaces per unit. There is some concern regarding the creation of an additional hard surface to the right of the driveway and this is unlikely to be acceptable. But, even with the removal of this small area of parking space, there is ample provision for two spaces per unit (plus visitor parking) to be accommodated within the existing garage space and hard surfaced areas to the left of the driveway. A condition requesting detailed allocation of parking spaces and its retention in the future is proposed. This should prevent indiscriminate parking on the highway.
- 6.5 Although the property is visible from Judges Close, it is relatively secluded and screened by the boundary of mature trees, hedgerows and walls. The only external alteration is a ground floor window of the southern elevation. This would not be intrusive upon the neighbouring property and would be in scale and keeping with the existing dwelling.
- 6.6 The consideration is therefore how the development would affect the character of the surrounding area. Four two bed units would not significantly increase the numbers of people and movements to the property than if the current five bed property was lived in to capacity. Whilst it may generate additional traffic, levels of movement would be unlikely to be detrimental to the living conditions and general amenities currently enjoyed by the residents. The garden area is not shown to be divided and would be a communal amenity space; hence the external appearance of the building and its curtilage would remain unaltered except for additional parked cars. These cars would be obscured from view from Judges Close by the existing boundary treatments.
- 6.7 The letters of objection also raise a number of issues relating to waste disposal, drainage and the protection of trees. A condition is proposed to control the provision and an area for storage of waste within the curtilage of the site. Likewise, conditions requested by Welsh Water, relating to drainage, have also been proposed. As there are no further external works proposed, the trees that are protected on this

site would not be affected. The letters of representation also queries the intended sale or rental of the apartments. This is a material planning matter.

- 6.8 Whilst local residents would like to retain the use of this former Judges House as one dwelling, the application for four apartments has been submitted and the proposal and its impact must be considered in relation to the policies of the local plan and government policy. No further subdivisions should be made without the benefit of planning permission.
- 6.9 To conclude, the proposed conversion of this five-bed house to four two-bed apartments would provide an adequate level of accommodation with sufficient car parking and access provision. The level of accommodation proposed would not alter the character of the surrounding area have a detrimental impact on the living conditions of the surrounding residents. As such, the division of the property from one dwelling to four apartments is considered to be in accordance with Planning Policy Guidance Note 3 – Housing and the criteria of policies H12 and H17 of the Hereford Local Plan.

## **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 A07 (Development in accordance with approved plans)**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

**3 Prior to the commencement of development and notwithstanding the detail shown on the approved plan, a plan showing the allocation of car parking spaces for residents and visitors shall be submitted to and approved in writing by the local planning authority. These spaces shall be demarcated in a method to be submitted to and agreed in writing by the local planning authority. These spaces shall be retained thereafter and kept available for those uses at all times.**

**Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.**

**4 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 interests of amenities of nearby residents.**

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

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

- 6 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.

- 7 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.

- 8 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

**Informatives:**

- 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.

- 2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Herefordshire Unitary Development Plan and the Hereford Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

**Planning Policy Guidance:**  
PPG1 - General policy and principles  
PPG3 - Housing  
PPG13 - Transportation

**Hereford Local Plan**  
H12 - Established residential areas - character and amenity  
H17 - Conversion of houses into apartments

**Herefordshire Unitary Development Plan (Revised Deposit Draft)**  
H17 - Subdivision of existing housing

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.