

MEETING:	PLANNING COMMITTEE
DATE:	17 JULY 2013
TITLE OF REPORT:	S122524/F - CHANGE OF USE OF DWELLING INTO 3 NO APARTMENTS AT FERRYMEAD, 14 VILLA STREET, HEREFORD, HR2 7AY For: Mr Ballantyne per Mr Daniel Forrest, Court Cottage, Bartestree, Hereford, HR1 4DA
WEBSITE LINK:	http://news.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122524&NoSearch=True

Date Received: 10 September 2012 Ward: Belmont Grid Ref: 349891,239161

Expiry Date: 14 November 2012

Local Members: Councillors A Bridges, PJ Edwards and GA Vaughan-Powell

1. Site Description and Proposal

- 1.1 The application site comprises a detached three storey dwelling that is sited to the north of Villa Street and opposite the car park of The Vaga Tavern. The rear garden of the dwelling slopes down to the River Wye. The dwelling was one of a pair of dwellings approved in 2002.
- 1.2 The existing dwelling currently comprises the following accommodation:

Lower floor – Garage, bedroom, dressing room, en-suite, utility and hall.
Middle floor – Study, living room, kitchen, Hall and WC
Top floor – 3 x bedroom, bathroom and store.
- 1.3 Externally, an existing driveway leads to the garage. The driveway is shared with the adjoining property known as The Holt and has a steep gradient. Each dwelling is capable of parking one car within its curtilage, but with the shared surface, an additional car can be parked in a central position, straddling the boundary to the two properties.
- 1.4 The proposal is for the conversion of the 4 bed property into three apartments as follows:

Proposed Lower Floor - 2 x bedroom, kitchen / lounge, hall, bathroom
Proposed Middle Floor – 2 x bedroom, kitchen / lounge, lobby
Proposed Top Floor – 1 x bedroom, kitchen / lounge, bathroom, hall
- 1.5 Externally, alterations are proposed to alter the staircase to the middle floor (main entrance) so that the porch is suspended and pillars removed. A new window would replace the garage door, and to the side elevation a new door would be inserted to allow access to the lower ground floor apartment.

- 1.6 Parking is provided for three off road spaces (one per unit). The three spaces will each have a dimension of 2.9m by 5m (slightly larger than the standard 2.4m x 4.8m). To the rear of these, and adjacent to the highway will be a defined by brick paved pathway of 0.9m in width, leading to the entrances to the flats. In response to local concerns about the parking provision, the gradient of the driveway will be reduced so that this is now proposed at 1:20. It should be noted that an application to undertake the necessary works to the shared driveway at the adjoining property (The Holt), is also being considered on this agenda (131292/FH)

2. Policies

2.1 National Planning Policy Framework

Particular consideration should be given to paragraphs 7, 14, 17, 47, 49 and 50. These set out the core principles of sustainable development and the need for decision takers to approve development proposals that are considered to be sustainable development where they accord with the development plan.

2.2 Herefordshire Unitary Development Plan

S1	-	Sustainable Development
S6	-	Transport
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR5	-	Planning Obligations
DR7	-	Flooding
H1	-	Hereford and Market town: Settlement boundaries and Established Residential Areas
H13	-	Sustainable Residential Development
H17	-	Sub-division of Existing Houses
T11	-	Parking Provision

- 2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

- 3.1 CW2000/3185/F – 2 no. four bed dwellings – Refused 3 January 2001.
- 3.2 CW2001/1870/F – 2 no. four bed dwellings – Approved with Conditions 12 October 2001.
- 3.3 CW2002/0653/F – Erect 2 no. 4 bed dwellings – Approved with Conditions 1 May 2002.
- 3.4 S110621/F – Change of use of dwellings into 3 apartments – Withdrawn 21 June 2011.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water raise no objection and recommend conditions be imposed.

Internal Council Advice

- 4.2 The Transportation Manager made the following comments:

Further information on the subject of this report is available from Ms K Gibbons on 01432 261781

Comments on initial submission:

Whilst in geometric terms, three parking spaces have been achieved for the proposed development, this has required much manipulation to achieve the minimum standards required for parking spaces and turning and resulted in the full width of Villa Street and the far verge area to the post and rail fence being taken into account for turning.

It is dubious whether the required width of 4.8m for the two parking spaces could be achieved within the property ownership, and conflict with the evidence on site from the visible fence boundary within the rear of property which is located equidistant between the two properties and indicates that only around 4.5m can be achieved.

The proposed layout also requires the cars to park close to the wall of the former garage (around 400mm scaled from the plan and checked on site). The proposed entrance to the lower unit is to be located on this facade, and therefore the access between and in front of the parked vehicles will be very severely restricted for pedestrian access to the front door, even more so if the full 4.8m cannot be achieved. Parking the vehicles further away from the façade, would not improve the pedestrian access between the vehicles, and would unacceptably reduce the turning area available behind, requiring vehicles to reverse along Villa Street or make multiple movements to try and achieve turning which would result in the street being obstructed for longer.

Furthermore the access driveway gradient is very steep, around 1 in 7, towards the proposed door, making use of the parking spaces difficult..

Therefore I consider that the use of the two adjacent steep parking spaces is likely to be undesirable, difficult and restrictive to access and that therefore, in the absence of parking restrictions to Villa Street and the absence of any vehicular traffic past this point, cars are more likely to be parked on street restricting the use of Villa Street itself, a well used pedestrian and cycle route, and also visibility for drivers exiting adjacent property driveways.

Comments on Amended plans:

The driveway gradient amendments now proposed for both Ferrymead and The Holt (under separate application (131292/FH) will make the driveways much more useable and thereby will be likely to remove on street parking that currently occurs. The parking provision shown is considered acceptable.

The width of the parking spaces now proposed will allow vehicles to commence to turn within the parking spaces and therefore turning in one movement will be achievable within the available width and length of Villa Street prior to the bollards.

Whilst the visibility for drivers from the parking spaces is limited by the hedge of the adjacent property to the west, visibility for approaching cyclists of any emerging vehicles will be greater and in my view acceptable. A path has also been included between the parking spaces and Villa Street.

Therefore my recommendation is for approval subject to conditions.

5. Representations

- 5.1 Hereford City Council makes the following comment: We support the principle of those properties being brought back into use; however we have got some anxieties over the access and vehicular movements onto the adjacent road and cycle way.

- 5.2 To date 26 letters of objection and concern have been received from local residents. The comments made can be summarised as follows:
- Additional traffic would be generated in the narrow street and lead to parking problems.
 - Conflict of traffic movement on this busy pedestrian and cycleway to city, supermarkets and school. A route that is promoted by the Council and is very busy at peak times (school runs etc.).
 - There is no pavement.
 - Parking is already a problem on this stretch of Villa Street as around half of the dwellings have no off street or adjacent on street parking. Of the other half, many have inadequate provision. Parking opportunities are at a minimum.
 - Three flats would be 6 adults and possibly six cars so any additional cars would be using the on street parking in the area that is already at capacity.
 - There is minimal / insufficient space to turn around so people have to reverse out of the street. The movements would be by multiple movements.
 - There is insufficient space under the cantilevered stairway / porch for a car.
 - The residents who live in the area are a 'community' .
 - Flats would be out of character with the area.
 - Additional traffic and people may lead to noise and disturbance.
 - Negative visual impact on the character of the street.
 - Bin area would potentially flood.
 - Problems with sewerage capacity and water pressure in the area.
 - One house with two spaces would be better and more appropriate.

- 5.3 70 letters of support have also been received that, in addition to just general support, also make the following comments:

- Good idea as a wider range of accommodation.
- Meet a housing demand / need.
- No problems with sewerage in area.
- No adverse impact on pedestrians / vehicles from traffic.
- These would be some of the most visible driveways in Villa Street.
- The improvements to steep drive are better especially for turning in and out of the drive – increasing safety.

- 5.3 A petition in support of the proposals (102 signatures) has also been received.

- 5.5 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 The key issues for consideration are:

1. The principle of development and sustainability.
2. Design
3. Highway and pedestrian safety
4. The 'Fall Back' position
5. Section 106
6. Flood Risk and drainage

- 6.2 The application site lies within the urban settlement boundary of Hereford City, within which residential development is supported where it would comply with the other relevant policies of the Unitary Development Plan. Of particular relevance in this instance is policy H17 that considers the subdivision of larger dwelling into flats or bedsits. It is noted that these can increase the supply of affordable lower cost housing, particularly for single person households and represents a more efficient use of stock. In principle such developments should be supported provided that adequate living arrangements can be achieved and that appropriate car parking can be provided.
- 6.3 The dwelling is a detached property sited on a relatively quiet street that has good pedestrian and cycle links to the city centre. The proposed development would, by virtue of its siting, represent a sustainable form of development that contributes to the economic, social and to a lesser degree, environmental roles outlined in paragraph 7 of the NPPF. As such, paragraph 14 of the NPPF directs that the proposal be approved unless it conflicts with the adopted development plan policies.
- 6.4 Policies DR2, H13 and H17 of the Unitary Development Plan consider the impact of development on the character of the area and amenities of local residents. It is acknowledged that the subdivision of a dwelling can bring about an increase in movement and potentially noise and disturbance. The proposed development is considered to be relatively small scale, with the conversion of a large 4 bed dwelling to three apartments (1 x 1 bed and 2 x 2 bed). The flats would have access to a rear garden and each apartment would have one parking space and as such the amenities of the occupants can be satisfactorily accommodated. The proposal would not, by virtue of its scale and siting represent such an intensification of a residential use that it would be likely to significantly harm or impact upon the amenities already enjoyed by local residents.
- 6.5 The area around the site is an eclectic mix of dwellings types and sizes, with a public house and its car park directly opposite. The subdivision of this unit into flats would not be uncharacteristic or out of keeping with the area, and would add to the mix of dwellings available in the area that is supported by UDP and NPPF policy. The small design changes to the external appearance are unobtrusive and in keeping with the existing property.
- 6.6 The key concern locally is the potential increase in traffic movements along this part of Villa Street and the likelihood of increased pressure on parking provision in the area. Following initial objections from local residents and the Transportation Manager, revised plans have been submitted that successfully provide three car parking spaces within the curtilage of the site. These are wider than the standard space, and to ensure manoeuvring can be achieved given the restricted width of Villa Street. To improve safety and visibility, provision has also been made for a path, demarked in paving slabs, to ensure that there is both space to manoeuvre and so that there is good forward visibility to the site from pedestrians and cyclists.
- 6.7 In addition to this, the proposal involves altering the gradient of the driveway so that the driveway will be 1:20. This will significantly improve the current situation and allow for much safer access and egress from the site that will improve the situation for other users of the highway, including pedestrians and cyclists in accordance with the requirements of policy DR3. The proposal also removes the ability to park within the area to the west of the existing steps, an area that does not have good visibility or offer the ability to manoeuvre and turn to leave Villa Street in a forward gear. As such, this is another benefit of this development.
- 6.8 The provision of one space per unit is in accordance with current standards and the proposed changes offer a much improved parking and turning arrangement than currently exists for the existing 4 bedroom dwelling. It is noted that the planning permission in 2002 for the 4 / 5 bed dwelling only required the provision of one parking space. The Transportation Manager supports the proposed changes and is satisfied that the slight increase in movements that may be associated with the apartments rather than one dwelling can be accommodated, especially

having regard to the improvements proposed. It is your officers opinion that the proposed development would comply with the requirements of policies DR3 and T11 of the Unitary Development Plan.

- 6.9 The 'fall back position' is also a material consideration. Recent government legislation allows for the use of dwellings as Houses in Multiple Occupation for 3 to 6 persons without the need for planning permission. As such, it is possible that this dwelling could already, in its current form, be used in this manner and the issues of parking, manoeuvring and accessibility would not be improved, enhanced or be capable of control by way of conditions.
- 6.10 The development would be subject to a planning obligation as per the Council's Supplementary Planning Document on Planning Obligations and policy DR5 of the Unitary Development Plan. However, in response to the current economic climate, the Council has introduced a temporary suspension of the payment of planning obligations provided that the development is commenced within 12 months. This decision was ratified by Cabinet on 4 March 2009. The applicant has requested a 12 months commencement date to be attached to any approval notice as part of the planning application.
- 6.11 Objections also refer to concerns about water pressure and foul water drainage. Welsh Water have been consulted and raise no objections to this proposal subject to conditions. The site lies partially within a Flood Zone, and as such, this matter was fully considered on the granting of the original planning permission. Safe dry pedestrian access can be obtained from the side and front of the property with the Flood zone being limited to the rear, riverside location. This is not introducing a new residential use, merely a change to the format. As such, the proposal would comply with the requirements of policy DR7 of the Unitary Development Plan.
- 6.12 To conclude, the proposed development is an opportunity to provide smaller, more affordable units of accommodation within an existing residential area of Hereford City. Its siting is sustainable in location with good access to services. The proposed alterations to provide three apartments would not represent an intensification of use or change in character of the building or area that would be significant. It would be unlikely to cause harm to the amenities enjoyed by local residents or to the character of the surrounding area and as such would comply with the requirements of policies S1, DR1, DR2, H13 and H17 of the Unitary Development Plan. The key concern in relation to the increased in traffic movements, provision of safe accessible parking and conflict with other highway users have now been overcome and the proposal would comply with policies DR3 and T11 of the Unitary Development Plan. As such, the proposal is recommended for approval, subject to conditions.

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. The development hereby permitted shall not be brought into use until the parking provision and changes shown on the approved plan (Drawing numbers PB10D and PB11B) have been properly constructed in accordance with these details. These areas shall thereafter be retained and kept available for those uses at all times.**

Reason: to minimise the likelihood of indiscriminate parking in the interest of highway safety and to conform with the requirements of Policies T11 and DR3 of the Herefordshire Unitary Development Plan.

- 4. L01 Foul/surface water drainage**

- 5. L02 No surface water to connect to public system
- 6. L03 No drainage run-off to public system

Informative:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

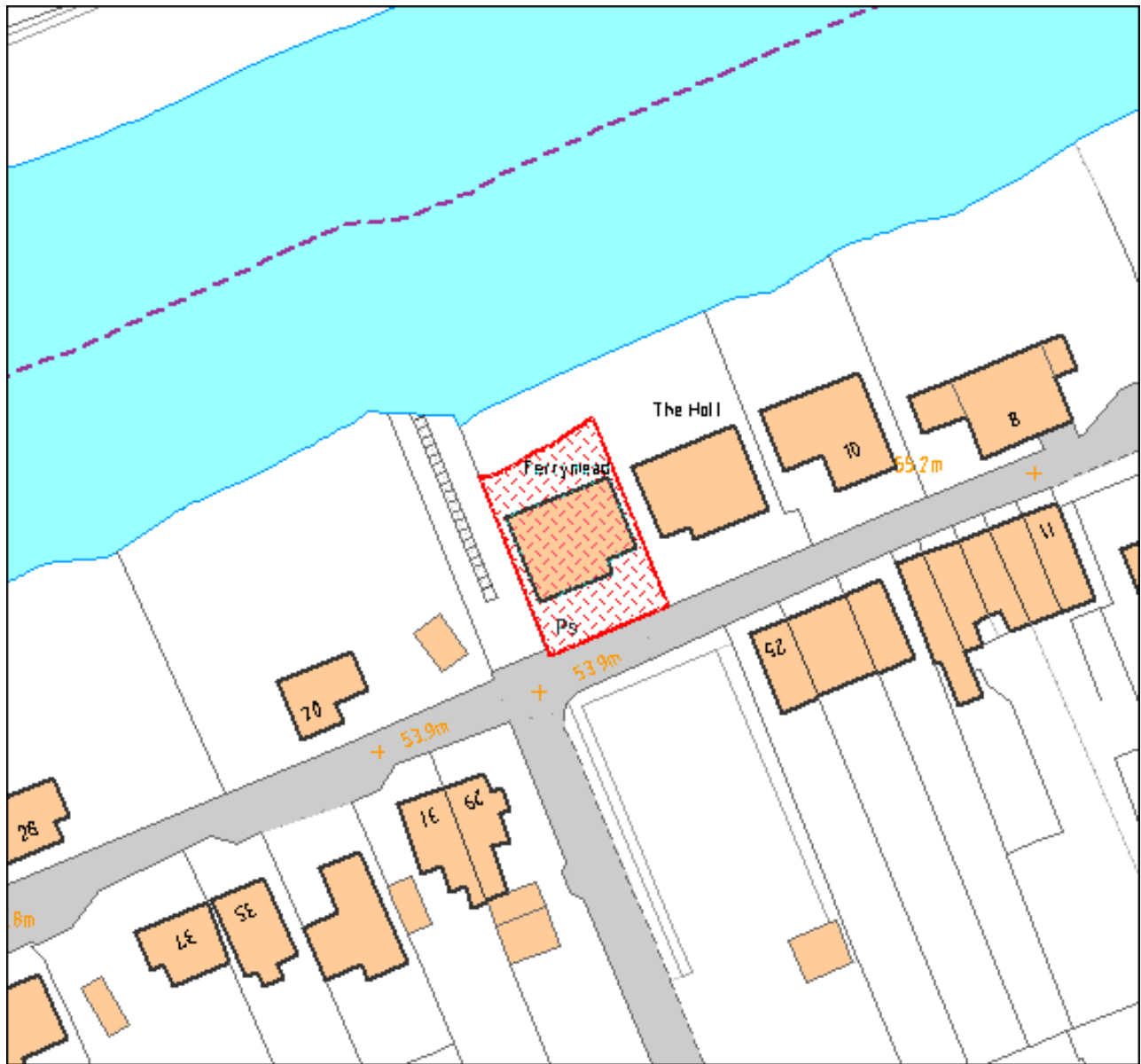
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: S/122524/F

SITE ADDRESS : FERRYMEAD, 14 VILLA STREET, HEREFORD, HR2 7AY

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