

12 DCCE2005/0540/F - CONVERSION AND EXTENSION OF EXISTING HOUSE INTO FIVE NO. SELF-CONTAINED FLATS AT 1A LICHFIELD AVENUE, HEREFORD, HR1 2RH**For: Festival Housing Group per Singleton Architects,
The Studio, 59A Church Street, Malvern,
Worcestershire, WR14 2AA****Date Received: 17th February, 2005 Ward: Tupsley Grid Ref: 52239, 39862****Expiry Date: 14th April, 2005**

Local Members: Councillors G.V. Hyde, Mrs. M.D. Lloyd-Hayes and W.J. Walling

1. Site Description and Proposal

- 1.1 This application seeks permission for the conversion of an existing dwelling house into five self-contained flats. The proposal also involves the erection of two storey front and rear extensions and a ground floor single storey front addition to the existing garage.
- 1.2 The existing property is a large detached dwelling house located within an established residential area of Hereford. The site is located at the northern end of Lichfield Avenue, close to the junction with Ledbury Road. The adjacent site to the north is utilised by Herefordshire MIND for accommodation purposes. The wider area is characterised by residential development and a petrol station/Tesco Express located on the western corner of Lichfield Avenue and Ledbury Road.
- 1.3 The proposal involves the creation of two ground floor one bedroom flats and one bedsit and two first floor one bedroom flats. Extensions to the front and rear to provide additional access and accommodation areas. A Cedar tree is growing in the north-west corner of the site, close to the frontage. This tree is protected by TPO 134 (HCTPO 38) - Hafod Road (N), Ledbury Road (1979). The original proposal sought four parking space to serve five properties, however objections from the Conservation Manager and Traffic Manager led to a revision providing five spaces, none of which impact upon the Cedar tree. The revision also involves a new access arrangement with the creation of a new access in a position broadly central to the front of the site.

2. Policies**2.1 National:**

PPS1 - Delivering Sustainable Development
PPG3 - Housing

2.2 Hereford Local Plan:

Policy ENV14 - Design
Policy ENV15 - Access for All
Policy ENV16 - Landscaping

Policy H8	-	Affordable Housing
Policy H9	-	Mobility Housing
Policy H12	-	Established Residential Areas - Character and Amenity
Policy H13	-	Established Residential Areas - Loss of Features
Policy H14	-	Established Residential Areas - Site Factors
Policy H16	-	Alterations and Extensions
Policy H17	-	Conversion of Houses into Flats
Policy T5	-	Car Parking Designated Areas

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H17	-	Sub-division of Existing Housing
Policy H18	-	Alterations and Extensions

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 Conservation Manager objected to the original parking layout due to the impact upon the TPO protected Cedar tree. No other objections raised.

4.3 Traffic Manager objected to the original parking provision and layout but confirmed acceptability of revised option.

5. Representations

5.1 Hereford City Council raise no objections providing five spaces are secured on site.

5.2 Neighbours - four letters of objection have been received from the following sources:

- Mr. and Mrs. D. & A.L. Payne, 2 Lichfield Avenue;
- Mr. A.J. Griffiths, 1 Lichfield Avenue;
- M.S. & P.J. Lodge, 2A Hafod Road;
- J. Tupper, 2A Lichfield Avenue.

The points raised can be summarised as follows:

1. Adjacent property is occupied by Herefordshire MIND. One house in Multiple Occupation (sic) is enough in a residential area characterised by houses and bungalows.
2. Inappropriateness of use in a residential area.
3. Inadequate parking.
4. Impact upon property values.
5. Loss of front garden area for parking area undesirable.
6. Communal garden area unlikely to be maintained to the same standard as existing.
7. Light, noise and anti-social behaviour associated with 'overcrowded development'.
8. Pedestrian safety.
9. Visual impact.
10. Loss of privacy.

In relation to the above issues it is advised that point 4 is not a material planning consideration.

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 It is considered that the key issues in this instance are:

1. Principle;
2. Design and Visual Amenity Impact;
3. Residential Amenity Impact;
4. Parking Provision and Highway Safety.

Principle

6.2 It is stressed that this application does not seek the conversion of the existing dwelling into a House in Multiple Occupation rather this is a conversion into five independent dwellings. The application is made on behalf of Festival Housing, a Housing Association and provider of affordable housing. The properties are intended for general rent with one flat adapted for wheelchair access. From a planning policy perspective, the subdivision of dwellings into smaller units is supported where the site specific circumstances are suitable. Affordable accommodation and accommodation with enhanced mobility access is encouraged. It is therefore considered that the principle of this proposal is acceptable.

Design and Visual Amenity Issues

6.3 The existing property is a relatively modern detached dwelling with a Georgian appearance. The proposed extensions to the front and rear are appropriate in their appearance in the context of the existing dwelling house and the wider locality. The additions are subservient and with matching materials will integrate into the main dwelling house effectively. The design concept is considered effective and acceptable. The parking provision to the front will result in the loss of garden area but the Cedar tree will remain together with some landscaping. The site is not within a Conservation Area and it is of note that if the property were remaining a dwelling the creation of

hardstanding would constitute Permitted Development. It is considered that the proposal will not prove detrimental to the visual amenities of the locality.

Residential Amenity Impact

- 6.4 Anti-social behaviour has been raised as an issue. Two relatively recent court cases (*West Midlands Probation Committee v S.O.S. and 7/11/97. R v Broadland D.C. ex parte Dove, Harpley and Wright 26/1/98*) consider anti-social behaviour and in these instances it was accepted that such an issue could be considered as a material consideration. Typically such a risk will relate to hazards to health or public safety where a genuine risk can be factually demonstrated and supported by evidence. In this instance it is considered that it is a purely subjective suggestion that the conversion of this property into five units would result in anti-social behaviour and an associated risk to public health and/or safety. The proposed conversion is for affordable units but it cannot be suggested that a conversion for such a use would lead to anti-social behaviour. It is considered that the issue in this instance is the potential impact upon residential amenity resulting from an increased intensity of use, together with the impact of the physical alterations proposed. A condition is proposed to minimise disturbance during the construction phase. It is considered that the property in question is undoubtedly suitable for conversion with the extensions allowing for the creation of five units offering an acceptable standard of accommodation. The site is of a suitable size for the proposal allowing for adequate shared amenity space provision. The siting of the property, together with its relationship with the adjoining sites, ensures an acceptable impact upon the surrounding area. It is therefore concluded that the impact upon residential amenities will be within acceptable limits.

Parking Provision and Highway Safety

- 6.5 The Traffic Manager raised objections to the original proposal for four off street spaces. Options on the site have been explored and a revised scheme has been accepted with five spaces together with cycle parking to be agreed. The Traffic Manager is now satisfied that the proposal provides adequate off street parking provision and is acceptable in relation to highway safety issues.

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. A06 (Development in accordance with approved plans).**

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

- 3. B02 (Matching external materials (extension)).**

Reason: To ensure the external materials harmonise with the existing building.

- 4. E17 (No windows in side elevation of extension).**

Reason: In order to protect the residential amenity of adjacent properties.

- 5. F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

- 6. G04 (Landscaping scheme (general)).**

Reason: In order to protect the visual amenities of the area.

- 7. G05 (Implementation of landscaping scheme (general)).**

Reason: In order to protect the visual amenities of the area.

- 8. G16 (Protection of trees covered by a Tree Preservation Order).**

Reason: To ensure the proper care and maintenance of the trees.

- 9. H06 (Vehicular access construction).**

Reason: In the interests of highway safety.

- 10. H08 (Access closure).**

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

- 11. H09 (Driveway gradient).**

Reason: In the interests of highway safety.

- 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.

- 13. H29 (Secure 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.

Informatives:

- 1. HN01 - Mud on highway.**
- 2. HN03 - Access via public right of way.**
- 3. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.