

5 DCCE2005/1917/F - CONVERSION OF SINGLE STOREY WORKSHOP INTO ONE BEDROOM DWELLING 30A, NEWTOWN ROAD, HEREFORD, HEREFORDSHIRE, HR4 9LL**For: Mr. J.W. Ball, 123A Edgar Street, Hereford, HR4 9JR****Date Received: 13th June, 2005****Ward: Central****Grid Ref: 51055, 40886****Expiry Date: 8th August, 2005**

Local Member: Councillor D.J. Fleet

1. Site Description and Proposal

- 1.1 The site is located to the rear of 30 Newtown Road within Hereford City. A building constructed from brick under a slate mono-pitch roof measuring 13 metres in length by 4.7 metres in width by 4.2 metres in height to the ridge of the roof occupies the southern end of the site and has most recently been used as a joinery workshop making bespoke kitchen units. Immediately south are residential properties with a hairdressers fronting on to Newtown Road, to the north is Burcott Road and the eastern and western boundaries are bordered by gardens. Pedestrian access only to the site is gained by a passageway located between numbers 28 and 30 Newtown Road.
- 1.2 The application proposes the conversion of the building to form a one bedroom self-contained residential unit. The application is a re-submission following the withdrawal of a similar proposal earlier this year.

2. Policies**2.1 Hereford Local Plan:**

ENV14	-	Design
H12	-	Established residential areas - character and amenity
H14	-	Established residential areas - site factors
H21	-	Compatibility of non-residential uses
H22	-	Existing non-residential uses
ENV1	-	Land liable to flood

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
DR13	-	Noise
H14	-	Re-using previously developed land and buildings
E5	-	Safeguarding employment land and buildings

3. Planning History

- 3.1 DCCE2005/0716/F - Conversion of single storey workshop into two-bedroom dwelling. Application withdrawn 27th April, 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: The Agency objects as the site lies within a Flood Zone 3 and is therefore at risk of flooding during the 1 in 100 year flood event. However, the Agency's flood records indicate that the site has not flooded historically and the site is at the edge of Flood Zone 3.

Internal Council Advice

- 4.2 Traffic Manager: No objection subject to a condition requiring the provision of secure cycle storage on site.

5. Representations

- 5.1 Hereford City Council: Recommends refusal and considers the development to be unacceptable backland development without reasonable amenities (no objection was submitted by the City Council to the application withdrawn earlier this year for the conversion of the building to a two bedroom property).

- 5.2 One letter of objection has been received from Mr. A.K. Joynt and Mr. A. Foster of 32 Newtown Road, Hereford. The main points raised are:

- Our privacy would be lost as all but one of the windows look in and on to our property, patio area and garden;
- The property has no off-street parking. Newtown Road has many residents and businesses in the area and parking is very limited;
- Neighbouring properties all have a right of access across the application site;
- The building should remain as a workshop as it was originally intended to be (first use as a bakery);
- The application states that there will be no felling or pruning of trees but a silver birch overhangs on to the application site and therefore cutting of branches is likely to be necessary.

- 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 most recent use of the premises was a joinery workshop manufacturing bespoke kitchens and prior to that, it was used as an upholstery workshop. Although not subject to any formal planning approvals, these uses have operated from the premises for some time and consequently, the lawful planning use of the premises is for general industrial purposes. Both adopted and forthcoming planning policies generally seek to segregate incompatible uses such as general industrial and residential development as in this instance. Whilst Environmental Health have no records of any complaints being made regarding the previous uses of the premises, there are no planning controls over

the general industrial use of the building. It is therefore considered that the re-use of the building for residential purposes is a more acceptable and neighbourly use in residential amenity terms than the current lawful use. Therefore, the principle of losing this employment site is accepted.

- 6.2 An application submitted earlier this year for conversion of the building to a two-bedroom unit was subsequently withdrawn as it was considered that the development would result in an unacceptable loss of privacy for the nearest property; No. 32 Newtown Road. The applicant has subsequently agreed various amendments to the proposal including removal of the rear extension and reduction in the size of the property to one bedroom and removal of both existing windows directly opposite neighbouring property. This now means that there are no direct window to window relationships and consequently no direct overlooking of the objectors property. The only window opposite the objector's property serves a bathroom, which would be obscure glazed. An existing window and door is to be retained serving the kitchen and these openings do overlook the neighbouring garden. However, the objectors garden along with other neighbouring gardens are already overlooked by one another and therefore it is not considered that there will not be any increased loss of privacy for the immediate neighbours. In fact, the removal of some of the existing windows will provide a greater degree of privacy for No. 32 Newtown Road. As such the impact on the nearest neighbours is considered acceptable.
- 6.3 The Traffic Manager is satisfied with the proposal subject to the provision of secure cycle storage, which can be provided within the existing shed at the end of the garden. The reduction in the size of the property from two to one bedroom will also lead to less pressure for on street parking on Newtown Road. The Environment Agency are presently objecting as the application site falls within the Flood Plain for Widemarsh /Tan Brook. Discussions and negotiations are on-going with the Environment Agency and it is understood that their objection will shortly be removed as the risk of the site being flooded is minimal.
- 6.4 Whilst the proposal will lead to the loss of an albeit very small existing general industrial employment use, the residential amenity benefits offered by the alternative use are of sufficient weight in this instance to justify the change of use. The amended design of the proposal will safeguard a satisfactory level of privacy for the nearest neighbours. The proposal is considered acceptable in accordance with the relevant development plan policies.

RECOMMENDATION

That subject to there being no objection by the Environment Agency the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers:

- 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 B05 (Alterations made good)

Reason: To maintain the appearance of the building.

4 E16 (Removal of permitted development rights)

Reason: To enable the local planning authority to control any future alterations and enlargements of the premises in the interests of residential amenity.

5 E18 (No new windows in specified elevation)

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

6 E19 (Obscure glazing to windows)

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

Informative:

1 N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



HEREFORDSHIRE
COUNCIL

Planning Services

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APPLICATION NO: DCCE2005/1917/F

SCALE : 1 : 1250

SITE ADDRESS : 30A, Newtown Road, Hereford, Herefordshire, HR4 9LL

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