

MEETING:	PLANNING COMMITTEE
DATE:	27 AUGUST 2014
TITLE OF REPORT:	P142140/F - PROPOSED CHANGE OF USE FROM A1 USE TO MIXED A1 & A3 USE AT TRUFFLES, 46 HIGH STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5HG For: Mr Mayo per HDP Architecture, 100 Chase Road, Ross-On-Wye, Herefordshire, HR9 5JH
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=142140&search=142140

Date Received: 11 July 2014

**Ward: Ross-on-Wye
West**

Grid Ref: 359846,224119

Expiry Date: 5 September 2014

Local Members: Councillors CM Bartrum and RL Mayo

1. Site Description and Proposal

- 1.1 The application site lies on the southern side of the High Street within Ross-On-Wye Town centre. The premises to which the application relates (i.e. number 46) is part of a terrace of historic buildings. The property itself is a Grade 2 listed building of architectural and historic interest. Upon the ground floor of the premises at present is an A1 shop. It currently operates as a delicatessen.
- 1.2 The proposal is to change the use of the ground floor of the premises from an A1 shop to a mixed use as an A1 shop and an A3 use (i.e. restaurants and cafes). The purpose of this application is to allow the operator of the delicatessen to have a few seats within the premises and in a rear courtyard where food and drink could be served (i.e. consumption on the premises). It needs to be made clear that this is not an application for a hot food takeaway or a drinking establishment.
- 1.3 No alterations are proposed to the fabric of the listed building. No alterations are proposed that would affect the external appearance of the building. This is an application for a change of use with no new building works.
- 1.4 The site lies within the Ross-On-Wye Conservation Area and the Wye Valley Area of Outstanding Natural Beauty.

2. Policies

- 2.1 National Planning Policy Framework

2.2 Herefordshire Unitary Development Plan 2007

- S5 - Town Centres and Retail
- TCR1 - Central shopping and Commercial Areas
- TCR2 - Vitality and Viability
- TCR4 - Secondary Shopping Frontages
- HBA3 - Changes of Use of Listed Buildings
- HBA6 - New Development Within Conservation Areas
- DR2 - Land Use and Activity
- DR13 - Noise

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:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

3. Planning History

3.1 None relevant.

4. Consultation Summary

Statutory Consultees

4.1 None.

Internal Council Advice

4.2 Transportation Manager: Comments awaited.

4.3 Conservation Manager (Historic Buildings): No objections.

5. Representations

5.1 Ross-On-Wye Town Council: No objections.

5.2 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:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 The application site lies within a secondary shopping frontage of Ross-On-Wye Town Centre. The retail policies within the Development Plan have the objective of ensuring the vitality and viability of Town Centres.

6.2 The premises in question is within a defined secondary shopping frontage where policy TCR4 of the Herefordshire Unitary Development Plan 2007 applies. In this instance the row of commercial units in which the property lies consists of numbers 44-49 High Street (inclusive). The proposal in question would not result in a continuous frontage of more than two non-retail (A1) units as whilst number 45 immediately to the west is a "Coffee House" the unit beyond is an A1 retail shop (i.e. currently a clothes shop) and immediately to the east number 47 is an A1 retail shop (i.e. currently selling "collectables").

- 6.3 In terms of the entire frontage (numbers 44-49) inclusive, two of the five units are A1 retail shops (i.e. numbers 44 & 47), two are not (i.e. numbers 45 and 49), whilst if this scheme were to be permitted it would partially be an A1 retail shop and partially an A3 café use. Therefore it is considered that 50% of the relevant and legible frontage would remain in a retail shop use.
- 6.4 Furthermore it is considered that Ross-On-Wye Town Centre does have vacant premises and that in many respects any such active commercial use of premises within the Town Centre should be welcomed. It is considered that the proposal would enhance the vitality and vitability of the Town Centre.
- 6.5 It is considered that the proposed use would not create any harm to the character and would indeed enhance the character of the Conservation Area.
- 6.6 There would not be any adverse impact upon the character or appearance of the wider Wye Valley Area of Outstanding Natural Beauty.
- 6.7 There are some flats above shops and other commercial premises in this part of the Town Centre and whilst it is considered that they would not be adversely affected by the proposed use itself, to safeguard the amenities of the occupiers of dwellings in the vicinity it is considered that a condition limiting hours of use is appropriate.
- 6.8 In conclusion the proposal fully complies with the provisions of the Development Plan and the Central Government advice contained within the National Planning Policy Framework (NPPF).

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 Time limit for commencement (full permission)**
- 2 The use hereby permitted shall not be open to customers outside the hours of 7am-11pm on any day.**

Reason: To ensure that the occupiers of dwellings in this mixed residential and commercial area do not suffer an undue level of night-time noise, in accordance with Policies DR2 and DR13 of the Herefordshire Unitary Development Plan 2007.

Informative:

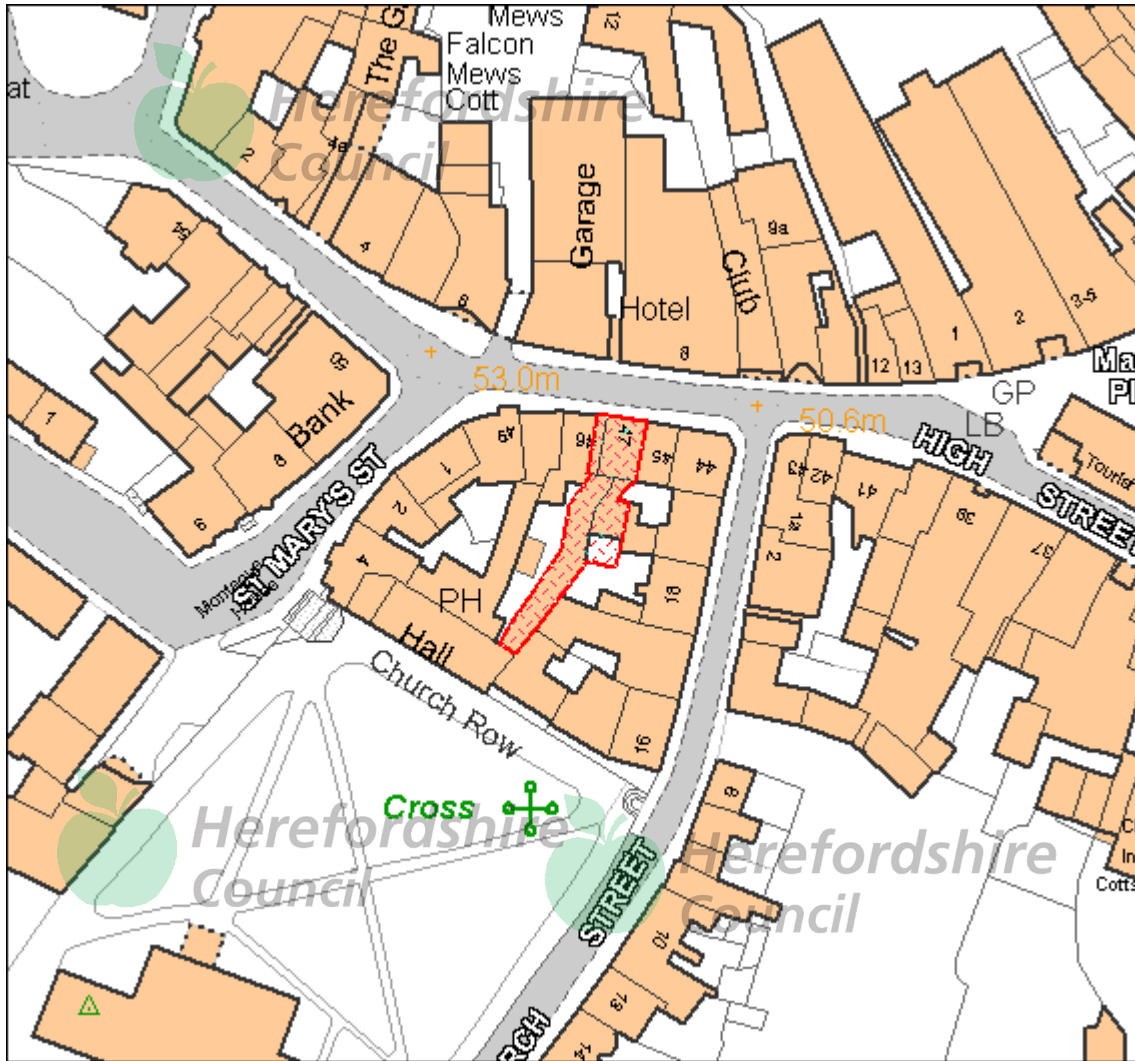
- 1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : TRUFFLES, 46 HIGH STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5HG

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Further information on the subject of this report is available from Mr R Close on 01432 261803