

12 SE2003/1275/F - PROPOSED SEMI-DETACHED TWO STOREY DWELLING CORNER SITE HENRY STREET & CROFT LANE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA

For: Casepress Ltd per Mr C Goldsworthy, 85 St Owens Street, Hereford HR1 2JW

Date Received: 29th April 2003 Ward: Ross-on-Wye East Grid Ref: 6011 2415

Expiry Date: 24th June 2003

Local Member: Councillors Mrs C J Davies and Mrs A E Gray

1. Site Description and Proposal

1.1 The rectangular site of about 0.02 ha is situated on the corner of Henry Street and Croft Lane, opposite The Stag Public House. The site has been built up with a rough concrete surface. It is used informally as car parking. Planning applications for the erection of 2, 2-storey houses on this site have been refused permission for the following reason:

1.2 The current application is for a single dwellinghouse. This would be of similar style to the 3 refused schemes (which were identical). The 'L' shaped building would be of brick construction with artificial slate roof and Georgian style windows. The house would have 4 bedrooms. No car parking would be provided. The flank wall would be about 2-5 m. forward of the houses on the southern side of Crofts Lane and separated from The Stag by about 7 m. Compared to the earlier proposal the flank wall would be wider (9m rather than 7m).

2. Policies

2.1 Planning Policy Guidance

PPG.13	Transport
PPG.15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC.9	Development Requirements
--------------	--------------------------

2.3 South Herefordshire District Local Plan

Part 1

Policy GD.1	General Development Criteria
Policy C.23	New Development Affecting Conservation Areas
Policy SH.5	Housing Land in Ross-on-Wye
Policy SH.14	Siting and Design of Housing
Policy SH.15	Criteria for New Housing Schemes
Policy T.4	Highway & Car Parking Standards

Part 3 - Ross (Chapter 37)

Policy 1	Housing Land in Ross-on-Wye
Policy 3	Infill Sites for Housing
Policy 5	Housing in Built-up Areas

3. Planning History

- | | | | |
|-----|---------------|--|--------------------|
| 3.1 | SE2002/0324/F | 2, 3-bed dwellings | - Refused 03.04.03 |
| | SE2002/1109/F | 2, 3-bed dwellings. | - Refused 05.06.02 |
| | SE2003/0976/F | Erection of 2 No 3-bed semi-detached dwellings | - Refused 21.05.03 |

4. Consultation Summary

- 4.1 Welsh Water's representations are awaited.

5. Representations

- 5.1 No additional information was included with the application.
- 5.2 Ross on Wye Parish Council's observations are as follows:

Whilst there are no objections to the actual house, there are concerns over the lack of off-road parking in an already congested area. The paved forecourt area looks of insufficient size to accommodate off-road parking.

- 5.3 Two letters of objection have been received. In summary the following points are made:
- (1) Welsh Water objected to an earlier application. The current application seems to allow surface and main drainage to be removed from the site via the Town's overloaded drainage system, which was the reason for Welsh Water's objection to any further building in Ross.
 - (2) Drawing No. SE03/1275/F does not indicate that the window in the adjoining property (No 4 Henry Street) is at ground floor level and therefore the proposed building will interfere with light and may contravene the 1832 Prescription Act and the 1959 "Rights of Light Act". The window is stained glass and relies on light to fulfil its decorative nature.
 - (3) The drawing showing the front elevation perspective from Henry Street, shows that the proposed development is tied into the adjoining property therefore our property which is an end terrace home becomes mid terraced.
 - (4) At present the various services to No 4 Henry Street are on the external wall that the proposed development ties into and would have difficulty in accessing them for maintenance. They have been in situ since the present occupants of No 4 bought the property.

- (5) No notification has been served on the owners of No 4 in relation to the Party Wall Act 1996 which mentioned that no development can be tied into an existing property without the permission of the owners. We will not grant that permission.
- (6) The application form states that the site is at present used for unauthorised parking. If the parking has to be relocated to parking on the street, this would require a further 10 on-street parking places, in an already congested area.
- (7) Policy 3(i) of the South Herefordshire District Local Plan states that the design and materials are in harmony with surrounding buildings. We do not believe that this development harmonises with the individuality of the surrounding properties, in this conservation area. Therefore a good relationship with adjoining land users will not be achieved, as set out in the aforementioned plan Policy 3(iv).
- (8) We also believe that this development will contravene South Herefordshire District Local Plan Policy 5(iii) by adversely affecting the visual appearance and character of the locality.

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

6. Officers Appraisal

- 6.1 The sole reason for refusal for the 2 houses scheme was the proximity of the building to The Stag. The windows at first and second floor light living accommodation above the public house. The flank wall of the building would be only about 4 m. from these windows and this was considered to be too close to allow adequate light to and acceptable outlook from the flat. The principle of residential development was considered to be acceptable, indeed an attractive new building would enhance the character and appearance of the Conservation Area.
- 6.2 The smaller building now proposed would be further from the public house (7m. rather than 4m.). This is considered to be sufficient improvement to overcome the objections raised to the earlier scheme. The design is considered to be acceptable except that the blank gable end wall would not be attractive and should be re-considered. As this is a town centre site the Head of Engineering and Transportation, Divisional Surveyor (South) accepts that off-street car parking need not be a requirement.
- 6.3 The issues raised by the neighbour partly concern property rights which would not be set aside by the grant of planning permission. Welsh Water has indicated in connexion with the previous application (SE2003/0976/F) that subject to conditions they do not object to residential development on this site. It is not considered therefore that there are grounds to refuse planning permission.

RECOMMENDATION

That subject to submission of acceptable revised drawings, officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional 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 C02 (Approval of details)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.