

19 DCSE2007/0382/O - SITE FOR ERECTION OF 3 NO. TWO BED TOWN HOUSES AT LAND TO REAR OF THE FORMER ROSSWYN HOTEL, OLD GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PB.

For: Mrs. R. Livesey per Kendricks Planning Ltd, PO Box 69, Ross-on-Wye, Herefordshire, HR9 7WG.

Date Received: 9th February, 2007 Ward: Ross-on-Wye East Grid Ref: 60006, 24049
Expiry Date: 6th April, 2007

Local Members: Councillors A.E. Gray and P.G.H. Cutter

1. Site Description and Proposal

- 1.1 Outline planning permission is sought for the erection of 3 town houses on land at the rear of the former Rosswyn Hotel in High Street, Ross on Wye. The site comprises an area of garden of about 0.1 ha. set at a significantly lower level to the hotel buildings. Along the northern boundary of the site are the rear elevations of modern shops in Gloucester Road. To the south, also at a higher level is a car park (formerly used by Royal Mail) accessed off old Gloucester Road and this is also part of the application site. A high wall extends along the eastern boundary.
- 1.2 Although an outline application only landscaping is reserved for later approval. The houses would comprise a terrace of 3 2-bed dwellings, each house staggered slightly in relation to the adjoining house(s). The terrace would be sited more or less centrally within the site, allowing for short rear gardens, and, for the end units additional gardens to the side. The layout and fenestration of the houses reflect this layout and the limited outlook to the rear. (The front elevations would have an entrance door on the left hand side with three-light windows on the right at ground and first floor levels. The terrace would be of brick construction with slates covering the gabled roofs. Car parking would be provided within the existing parking area, which would be shared with the flats to be formed at the Rosswyn Hotel and the adjoining house (6 Old Gloucester Road).
- 1.3 As submitted the application also included the erection of a building across the Old Gloucester Road frontage to form an additional dwelling. This has been withdrawn by the applicant, following concerns expressed by the Conservation Manager.

2. Policies

2.1 Planning Policy Statements

PPS3 - Housing

2.2 Herefordshire Unitary Development Plan 2007

Policy H1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas

Policy H13 - Sustainable Residential Design

Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy HBA6	-	New Development within Conservation Areas
Policy DR4	-	Environment

3. Planning History

- | | | | | |
|-----|-----------------|---|---|-----------------------------------|
| 3.1 | DCSE2005/2951/F | 1. Change of use and conversion of fire damaged hotel building into 6 no. new units of residential accommodation on three floors.
2. Change of use and conversion of owner's cottage into 2 no. independent flats with single storey extension.
3. Provision of new car parking and vehicular manoeuvring facilities on and off site.
4. Provision of landscaping. | - | Application withdrawn.
17.2.06 |
| | DCSE2006/0402/L | 1. Change of use and conversion of fire damaged hotel building into 6 no. new units of residential accommodation on three floors.
2. Change of use and conversion of owner's cottage into 2 no. independent flats with single storey extension.
3. Provision of new car parking and vehicular moving facilities on and off site.
4. Provision of landscaping. | - | Approved
9.6.06 |
| | DCSE2006/0531/F | 1. Change of use and conversion of fire damaged hotel building into 6 no. new units of residential accommodation on three floors.
2. Change of use and conversion of owner's cottage into 2 no. independent flats with single storey extension.
3. Provision of new car parking and vehicular manoeuvring facilities on and off site.
4. Provision of landscaping. | - | Approved
4.5.07 |

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water recommends conditions regarding drainage to ensure no detriment to existing residents or the environment and to Welsh Water's assets.

Internal Council Advice

- 4.2 Traffic Manager recommends imposition of a condition regarding cycle storage if permission is granted.
- 4.3 Conservation Manager objected to the new frontage building but as noted above this part of the application has been withdrawn. No objections to the town houses.
- 4.4 Head of Environmental Health has considered the noise report. He notes that there are several options regarding the provision of air ventilation to the habitable rooms and/or attenuation of the nearby refrigeration unit which runs over a 24 hour period.

Due to the close proximity of the proposed dwellings to the refrigeration unit I would prefer that the unit is attenuated as mentioned in the report, so that the general background noise level is reduced for use of the dwelling and gardens, etc.

5. Representations

5.1 The applicant's agent points out that:

1. The site is brownfield land being former garden cutilage.
2. A noise evaluation report has been prepared and a letter of 'comfort' from Burger Star with regard to noise reduction (the refrigeration unit identified as the principal source of noise).

5.2 In addition a Design and Access Statement has been submitted which, in summary, states:

ASSESSMENT

1. The proposal is the final tranche of residential development in relation to the redevelopment of the former Rosswyn Hotel site which suffered from a disastrous fire two years ago.

INVOLVEMENT

2. The dwellings are of a small size and reflect accurately first-time buyer/low-cost market housing proposals.

EVALUATION

3. The current scheme has been modified to satisfy the observations made by those who may be affected by the current proposals and indeed the eventual occupants of the dwellings and partmnet.

DESIGN

4. There is existing and adequate access and car parking arrangements and amenity space in association with this development.
5. The town houses would be of traditional design.

5.3 Town Council has no objection to the proposal.

5.4 Two letters have been received expressing concerns about further development in Old Gloucester Road in view of:

- extremely narrow road which presents problems for pedestrians and for delivery of materials and supplies;
- significant rubble and soil would need to be removed and is bound to cause considerable dirt, dust and disruption to residents of Old Gloucester Road and increase risk of accidents;

- contrary to highway regulations vehicles do enter High Street from Old Gloucester Road
- pedestrians including those with prams are often in the middle of the road (very narrow footway) as vehicles enter Old Gloucester Road from High Street with potential for serious accident; and
- the Council must place a size limit on vehicles coming to site in order to exclude lorries.

5.5 One letter has been received in support of the application.

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

6. Officer's Appraisal

- 6.1 The application site is close to the town centre and an area of mixed commercial and residential properties. In principle the site is suitable for housing development. The appearance of the proposed terrace is acceptable and there is adequate space between the proposed building and existing buildings not to affect adversely residential amenities. The issues remaining are whether the living conditions of future occupiers would be acceptable, the effect on highway safety and congestion and the effect on the Conservation Area.
- 6.2 The consultant's noise study identifies an external fan (part of refrigeration unit) at Burger Star, which operates 24 hours a day, as the main source of noise. This raises the ambient noise level above acceptable limits. The report suggests that it would be prudent to attenuate this noise and to provide fresh air ventilation to all north-facing habitable rooms. The Head of Environmental Health concurs with this approach. The restaurant manager has written indicating that he has agreed to fit and re-site "new super efficient fans and compressors....to allow very little noise to affect the residents of this development". The applicant's agent also confirms that the Job Centre, which has a quieter fan, would be prepared to screen or re-position their fan at 90 degrees. This could be achieved through a Section 106 agreement and, with the ventilation system for the houses would ensure acceptable noise levels for residential properties.
- 6.3 Old Gloucester Road includes industrial and commercial enterprises as well as residential properties, including rear access to a number of the shops, and a pub in Gloucester Road. The footway is narrower than normally provided and the road itself narrows appreciably at the western, primarily residential, end. Inevitably therefore there are more traffic movements, including vans and lorries, than in a wholly residential street. I do not consider however that the additional traffic from 3 houses would significantly increase congestion or be to the further detriment of safety. The Traffic Manager raises no objection to the proposal. The potential noise and disturbance from construction traffic can be appreciated but, in this instance, would not be grounds to refuse permission.
- 6.4 The town houses would be of acceptable design and external materials and discretely located. They would occupy an open area but this is not visible from public viewpoint and does not make a significant contribution to the street scene. The proposed houses would therefore be neutral in their effect on the character of the Conservation Area.

RECOMMENDATION

- 1) That planning permission be The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to (set out heads of agreement) and any additional matters and terms he considers appropriate.

Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:

- 1 A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 2 A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 3 A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

- 4 A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 5 B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

- 6 F48 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

- 7 W01 (Foul/surface water drainage)

Reason: To protect the integrity of the public sewerage system.

- 8 W02 (No surface water to connect to public system)

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 9 W03 (No drainage run-off to public system)

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

10 W04 (Comprehensive & Integrated draining of site)

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

11 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 N02 - Section 106 Obligation

2 N19 - Avoidance of doubt

3 N15 - Reason(s) for the Grant of Planning Permission.

4 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies

APPENDIX

DRAFT HEADS OF TERMS

Proposed Planning Obligation Agreement

Section 106 Town and Country Planning Act 1990

Planning Application DCSE2006/0382/F

Site for erection of 3 no. two-bed town houses at land to rear of the former Rosswyn Hotel,
Old Gloucester Road, Ross on Wye, Herefordshire HR9 5PB

1. Before development commences the refrigeration equipment/extract fans at Burger Star and the Job Centre, Gloucester Road, Ross on Wye shall be removed or the noise attenuated so that the general background noise level is reduced at the boundary with the application site to a level appropriate for residential properties.
2. The developer shall pay to the Council, on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with preparation and completion of the Agreement.
3. The applicant shall complete the Agreement by 20 September 2007 otherwise the application will be registered as deemed refused.

S Holder
Principal Planning Officer



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APPLICATION NO: DCSE2007/0382/O

SCALE : 1 : 1250

SITE ADDRESS : Land to rear of the former Rosswyn Hotel, Old Gloucester Road, Ross-on-Wye, Herefordshire, HR9 5PB

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