

5 DCSE2007/2920/F - PROPOSED ADDITIONAL UNIT TO APPROVED SCHEME REF: DCSE2007/0645/F, THE OLD CANOE STORE, MILLPOND STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AP.

For: Woodfield Developments per Edge Design Workshop, Unit 2, Ruardean Works, Varnister Road, Nr Drybrook, Gloucester, GL17 9BH.

Date Received: 13th September, 2007 Ward: Ross-on-Wye Grid Ref: 60168, 24306 East

Expiry Date: 8th November, 2007

Local Members: Councillors PGH Cutter and AE Gray

INTRODUCTION:

This application was reported to the Southern Area Planning Sub-Committee on 7th November, 2007 and determination was deferred so that Members could visit the site. The site was visited on 20th November, 2007.

1. Site Description and Proposal

- 1.1 Planning permission and listed building consent were granted in July of this year to demolish a building, previously used by PGL for storing canoes, and the construction of 4 flats on this 0.2ha site at the rear of terraced houses in Station Road. The application site has a narrow frontage to Millpond Street, between a retail shop (1 Millpond Street) and a terrace of houses (2 - 4 Millpond Street). The remainder of the PGL site has been developed as retirement apartments by McCarthy and Stone (Wallace Court). The store building, which was understood to be a 20th Century industrial building, has now been demolished, except for parts of smaller buildings formerly attached to the north-west corner, and work to erect the new flats is underway.
- 1.2 The current proposal differs from the approved scheme primarily in the first floor of the new building accommodating two one-bed flats rather than one two-bed flat. This has necessitated some changes to fenestration in both gable end elevations and additional rooflights are proposed to light the first floor bedrooms. The block of flats would be the same size however as that approved viz about 2m narrower than the existing canoe store but with a symmetrical ridge roof with eaves on the northern boundary (abutting the rear garden of 2 Millpond Street) about 0.5m higher and a similar increase at ridge level. The fifth flat would be within the hipped roofed single-storey buildings. The main windows would be in the gable end walls of the new building plus 3 ground floor windows in the south elevation. Vehicular access would be off Millpond Street with 2 car parking spaces. Pedestrian access up a flight of steps is proposed over the flood protection wall, with a pedestrian route to the south of the building, leading to a small amenity area to the front of the flat within the smaller, existing buildings.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007

Policy S3	-	Housing
Policy H2	-	Hereford and the Market Towns: Housing Land Allocations
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy E5	-	Safeguarding Employment Land and Buildings
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR7	-	Flood Risk
Policy DR10	-	Contaminated Land

3. Planning History

3.1	DCSE2003/2242/F	Proposed retirement homes	-	Withdrawn 22.10.03
	DCSE2003/2245/C	Demolition works to accommodate construction of retirement homes	-	Withdrawn 22.10.03
	DCSE2003/3862/F	Three storey sheltered accommodation	-	Withdrawn 23.03.04
	DCSE2006/2484/F	Demolition and construction of 5 flats	-	Withdrawn 21.09.06
	DCSE2006/2485/C	Demolition and construction of 5 flats	-	Withdrawn 21.09.06
	DCSE2007/0645/F	Demolition and construction of 4 flats	-	Approved 20.07.07
	DCSE2007/0643/C	Demolition and construction of 4 flats	-	Consent 20.07.07

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency's advice is awaited.
- 4.2 Welsh Water request that conditions are included with regard to drainage of the site.

Internal Council Advice

- 4.3 Traffic Manager recommends that permission be refused on the grounds that the proposal shows insufficient detail for an assessment to be made from the highway safety point of view. He is concerned about intensification: cycle parking is minimal

(should be one short stay space and one locker per flat) and car parking is tight for turning; how will they be allocated? Should they be for disabled only?

4.4 Conservation Manager comments as follows:

“No objection to the application. The approved scheme fully exploited the opportunities offered by its unconventional, non-domestic form and whilst the inclusion of an additional unit will impact on the spatial quality of the individual units to some degree, I do not think the scheme is fatally compromised as a result.”

5. Representations

5.1 The applicant's agent points out that:

- (i) the revised proposal comprises one additional unit within the scope of the approved building
- (ii) the previous design principles in terms of massing, views and privacy have been maintained and integrated into the new scheme.

5.2 A Design and Access Statement has been submitted which provides an architectural/historical context for the development with the design factors being:

- (i) scale of the block will not have overbearing effect on neighbours and be visually subservient to Millpond Street cottages
- (ii) to ensure flats would not be flooded
- (iii) a public sewer crosses the site and requires 2m easement
- (iv) internal arrangement created to minimise impact on surrounding properties
- (v) external materials reflect the context: stone perimeter walls of site retained and blockwork walls rendered; brick side elevations and front and rear elevations finished in a render similar to McCarthy and Stone scheme; slate tiles.

5.3 In addition a Pre-Development Enquiry Assessment and Flood Risk Assessment have been submitted.

5.4 Town Council has no objections to the proposal.

5.5 Three letters of objection have been received, which are in summary:

- (1) the Halcrow document points out that due to planning restrictions the proposed development cannot exceed the existing building which was a single-storey industrial unit yet 4 flats would be in a two-storey building
- (2) this is a change from business to residential use and from a single apartment on upper floor to 2 apartments
- (3) loss of privacy and peace to occupants of retirement flats : too many large windows facing Wallace Court – a higher wall or trellis on the existing fence would help ameliorate this loss of privacy.
- (4) additional noise
- (5) annoyance/nuisance from ball games and BBQs in the garden
- (6) danger to pedestrians from vehicle parking area
- (7) this and adjoining development sites should be considered as a whole in relation to the security, convenience, comfort and privacy of Wallace Court
- (8) we feel very strongly that a wall should be built behind McCarthy and Stone's fence to match in height the adjoining boundary wall, which should be maintained by the developer or owners of the flats.

- (9) position of windows should be reconsidered and extra planting to maintain privacy
- (10) loss of sunlight
- (11) security could be compromised as there would be an access through Wallace Court to provide a dry escape route – will there be a restriction that use of the dry access will be for occupiers and their visitors in dire emergency only and not used by anyone as a through pedestrian route? A security gate as proposed for the entrance to the flats is suggested.
- (12) can we be assured that a water storage system will be installed as stated in the Technical Note.
- (13) reassurance is sought that all the development will be maintained by the developer/owners.
- (14) why is site being developed as consultation period has not expired – trust that all above comments will be given due consideration?

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 principle of development on this site has been accepted by the Council in granting permission for the 4 flat scheme. The position and massing of the building would not change in the current proposal. The site is within the flood plain (zones 2 and 3) and the Council needs to be satisfied that no practicable alternative sites are available (sequential test). There are limited town centre sites within Ross-on-Wye and this land is part of a wider site allocated for residential development in the Herefordshire Unitary Development Plan 2007. The suitability of the site for housing has therefore been considered as part of the Unitary Development Plan process. In addition to the sequential test the Council must consider whether there should be an exception test. This is addressed in the Flood Risk Assessment. To pass this test the development must (a) provide wider sustainable benefits that outweigh the flood risk, (b) be on developable, previously developed land, and (c) a flood risk assessment (FRA), must demonstrate that the development will be safe and at worst, not increase flood risk elsewhere. The wider benefits to the community include additional relatively cheap housing, flats apparently being in demand, and a more attractive building. The site was previously developed. Advice from the Environment Agency regarding the adequacy of the FRA is awaited.
- 6.2 A second issue is the effect on the amenity and security of neighbours. Overlooking of neighbouring properties would occur primarily from the windows within the west facing gable end elevation. These windows would light a living room and a bedroom on each floor rather than in the approved scheme for the first floor flat two bedrooms. They would be set back about 6m from the boundary fence with Wallace Court (a block of retirement apartments) with a total distance of at least 25m between facing windows. This is considered acceptable in an urban context. Planting is proposed in small garden and this could increase the perception of privacy if appropriate trees are planted, as could raising the boundary fence/wall to give more privacy in the garden. Inter-looking between the upper floor flats and the rear of the Station Street houses would be precluded by the rooflights being set above normal eye level. The security concerns of neighbours would be partly allayed by a wall instead of, or in addition to, the fence along the boundary, with a height to match the adjoining new brick boundary wall. This is being considered by the applicant. In addition, the dry access for pedestrians in the event of a flood is one of three potential such routes through the grounds of Wallace Court. I consider that it would be reasonable to impose a condition

restricting use to emergencies only (see Condition no. 8 below). On this basis I consider that the amenities and security of neighbours would not be harmed to such an extent to justify refusal of planning permission.

- 6.3 The car parking (2 spaces) is identical to that approved previously. However in this edge of centre location I do not consider that one extra unit with no additional off-street parking is strong grounds to refuse permission. Cycle parking can be provided within the site, although to meet the full standard may take up too much of the limited garden area and a partial provision may be more acceptable. This can be covered by a planning condition.

RECOMMENDATION

That subject to the Environment Agency not objecting with regard to the risk of flooding, the 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. B01 (Samples of external materials)**

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

- 3. G01 (Details of boundary treatments)**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

- 4. F49 (Finished floor levels (area at risk from flooding))**

Reason: To protect the development from flooding.

- 5. F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

- 6. H14 (Turning and parking: change of use - domestic)**

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

- 7. H29 (Secure covered cycle parking provision)**

Reason: To ensure that there is adequate provision for secure covered cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

- 8. No development shall take place until details of the gate giving access to the emergency pedestrian route have been submitted to and approved in writing by**

the local planning authority. The gate shall be kept shut except in the event of a flood or other emergency.

Reason: In the interests of neighbours' security.

Informative(s):

1. **HN01 - Mud on highway**
2. **HN05 - Works within the highway**
3. **HN10 - No drainage to discharge to highway**
4. **N19 - Avoidance of doubt**
5. **N15 - Reason(s) for the Grant of Planning Permission**

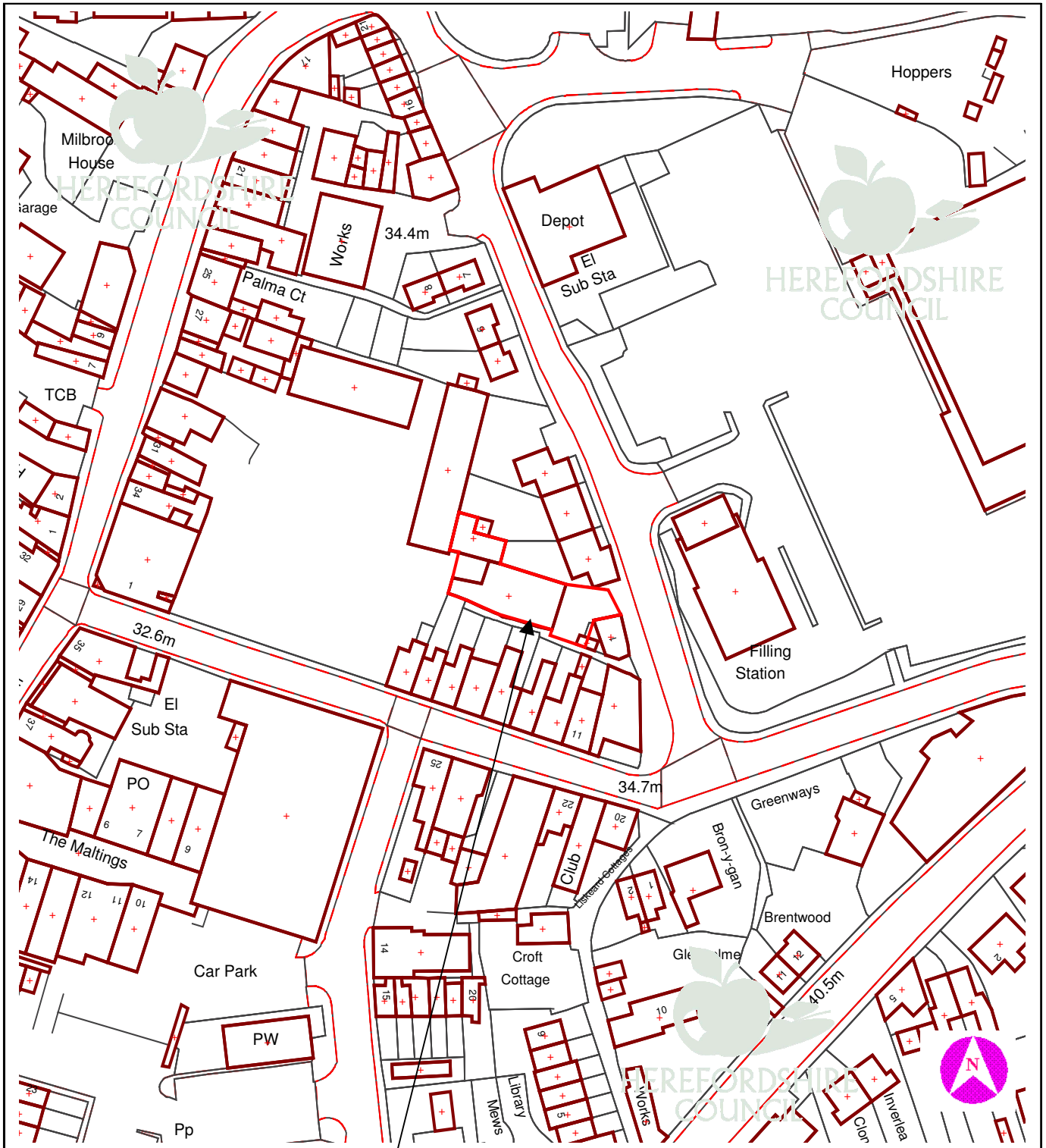
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/2920/F

SCALE: 1 : 1250

SITE ADDRESS: The Old Canoe Store, Millpond Street, Ross-on-Wye, Herefordshire, HR9 7AP

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