

**5A DCSE2007/3531/F - DEMOLITION OF 13 MARKET PLACE, CONSTRUCTION OF SHOP AT GROUND LEVEL, INCLUDING GROUND FLOOR OF 14 MARKET PLACE AND 12 FLATS ABOVE AND INCLUDING 2 FLATS IN NO. 14, 13/14 MARKET PLACE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NU.**

**5B DCSE2007/3548/C - DEMOLITION OF 13 MARKET PLACE TO ALLOW FOR REBUILDING OF SHOP WITH FLATS ABOVE, 13/14 MARKET PLACE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NU.**

**For: Provis Properties Ltd per Geoff Jones Architect,  
53 Broad Street, Ross on Wye, Herefordshire, HR9 7DY**

**Date Received: 14th November, 2007    Ward: Ross-on-Wye    Grid Ref: 59977, 24126  
East**

**Expiry Date: 13th February, 2008**

Local Members: Councillors PGH Cutter and AE Gray

These applications were deferred by the Southern Area Planning Sub-Committee at the meeting on 5th December, 2007 so that Ross on Wye Town Council's observations could be included in the report. The Town Council's comments have now been received and are reported at paragraph 5.2.

## **1. Site Description and Proposal**

- 1.1 The application premises comprises two shop units on the east side of Market Place, with residential accommodation on the upper floors and a large single storey corrugated asbestos building occupying most of the rear yard. The latter extends along the rear of 3 - 6 Gloucester Road. 13 Market Place has a wide frontage and is a 3-storey building; 14 Market Place is narrow with 4 floors and is visually continuous with the adjoining buildings to the south (which includes the Nat West Bank).
- 1.2 It is proposed to demolish no. 13, including the single-storey building at the rear. The main frontage building would be re-built to similar eaves and ridge height. The front elevation of 14 Market Place would be altered with a sliding sash-type window replacing the wide four-sash first floor window and a new shop window. The rear section of this property and the single building would be replaced by a three-storey structure, with the eastern section (to the rear of 4 - 5 Gloucester Road) dropping to two-storeys. This would extend across the full width of the site at ground floor level, but with the first and second floors set back to allow a walkway for access at first floor level on the south side and balconies on the north side. There would be an extensive basement. The new building would extend about 2m beyond the existing single-storey building. The building would be of traditional appearance on the front elevation with sash windows, rendered walls and slate roof. The rear section would be in a modern

idiom with a shallow pitched roof covered with stainless steel sheeting; the walls would be partly painted render, partly Marley Eternit weatherboarding.

- 1.3 The ground floor and basement of the redeveloped buildings would be used as a single retail shop except for a new access and staircase formed at the north end of 13 Market Place. The staircase would lead to the 12 flats to be formed in the new building and 14 Market Place. Three of the flats would be 2-bedroomed, one would be a studio flat with the remainder (8) single-bedroomed. The rear yard would have cycle and refuse bin stores and external stairs leading down to the rear of the shop and up to the first floor walkway. Access to the yard would be via an entry between properties in Gloucester Road.
- 1.4 This is a revised scheme following withdrawal of earlier proposals. The main changes are the reduction from 3 to 2 storeys of the eastern section of the new building and the new entry to the upper floors off Market Place rather than using an existing entrance in 14 Market Place to overcome ownership problems.

## 2. Policies

### 2.1 Planning Policy Statement

PPS3	-	Housing
PPG15	-	Planning and the Historic Environment

### 2.2 Herefordshire Unitary Development Plan 2007

Policy S3	-	Housing
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 S5	-	Town Centres and Retail
Policy TCR1	-	Central Shopping and Commercial Areas
Policy TCR2	-	Vitality and Viability
Policy TCR3	-	Primary Shopping Frontages
Policy HBA6	-	New Development within Conservation Areas
Policy HBA7	-	Demolition of Unlisted Buildings within Conservation Areas
Policy NC5	-	European and Nationally Protected Species
Policy DR2	-	Lane Use and Activity

## 3. Planning History

- 3.1 DCSE2005/0927/F Refurbishment and change of use of upper floors to residential use and erection of 2-storey dwelling (2 flats) (9 flats in total) - Approved 08.07.05
- DCSE2007/2523/F Demolition of 13 Market Place, construction of shop and 12 flats - Withdrawn 08.11.07
- DCSE2007/2532/C Demolition of 13 Market Place, construction of shop and 12 flats - Withdrawn 08.11.07

#### 4. Consultation Summary

##### Statutory Consultations

- 4.1 Welsh Water's comments are awaited.

##### Internal Council Advice

- 4.2 Transportation Manager's comments are awaited.

- 4.3 Conservation Manager's comments:

"The No. 13 site is very prominent in townscape terms but as with the majority of buildings around the market place, it serves primarily as a 'backdrop' to the Market House. It therefore offers only limited scope for expression and it is welcome that the applicant has now chosen to re-instate the basic form of the original C19 street elevation.

The impact of the accommodation range to the rear of the site is strictly limited in public views of the conservation area, so I have no objection to the amendments to this element of the scheme.

There is no objection to the proposed demolition in principle as the late C19 street elevation has been mutilated beyond repair, and there is little evidence of the remainder of the building being of significant historic interest. However the site bounds the market place and will have been continuously occupied since Ross' foundation so its archaeological potential will warrant further monitoring."

- 4.4 Parks, Countryside and Leisure Development Manager considers that a contribution towards sports facilities should be expected in response to Sport England proposals to increase participation in active sports. The contribution is based on Sport England's calculator (£630 per dwelling) and in this case the total is £7,560 which would be used towards improvements at Wilton Sports Centre.
- 4.5 Economic Regeneration Officer supports this application as an opportunity to create some sizeable retail space needed in the town to attract a bigger player and this type/size of residential is hard to come by too. Many of Ross's buildings are in poor repair and so it makes some sense to start from scratch with some of the worst examples.

#### 5. Representations

- 5.1 The applicant's agent has submitted a Design and Access Statement which is, in summary:

- (1) The application site and its locality are described.
- (2) There is an established need for a shop with a large floorspace to draw a major retailer and for town centre living accommodation which would also help to re-invigorate the town centre and increase surveillance and security.
- (3) 13 Market Place is in poor condition and its layout does not lend itself to easy or economic conversion to modern standards.
- (4) The proposed shop would have a retail area of 477m<sup>2</sup> with a basement of 280m<sup>2</sup>.

- (5) To the rear the new building is set as far as practicable from the boundaries to give access/open space and balconies to the flats, distance from the adjacent properties and to comply with building regulations.
- (6) The site constraints have determined the form of construction, masonry on ground floor and front elevation with lightweight prefabricated cladding on a steel frame. The cladding would also be light coloured to minimise the impact on neighbouring buildings. To keep the height down the roof would have a stainless steel finish and a 10° pitch.
- (7) The ground floor, rear of shop and surrounding wall would be facing brick for durability and security.
- (8) All flats would have access to Market Place and, via the rear yard, Gloucester Road.
- (9) The yard would have cycle and bin stores, drying area - it will be paved and planted to encourage use.
- (10) No requirement for car parking as a town centre development.
- (11) A sustainable location within easy reach of a full range of facilities and bus services.

In addition, a report of a survey which found no evidence of bats using the building, a report by drainage consultants and a letter from Welsh Water confirming the acceptability in principle of that report's proposals have been submitted. The applicant's agent has indicated that his client considers the sports contribution to be unreasonable at this late stage – no such request was made in connexion with the earlier withdrawn application.

#### 5.2 Town Council's comments are as follows:

“Concerns were expressed that the development is marketed as family homes and therefore it was unrealistic not to consider provision for parking when there was limited availability of local transport in Ross on Wye. Affordable housing should be inclusive in a development of this size and members of the Town Council would like to be consulted on any benefits available under S.106.”

#### 5.3 One letter of objection has been received on the grounds:

- (1) Proposed building would completely overshadow the outlook from 3 Gloucester Road and for other properties in Gloucester Road.
- (2) It is too high and anyone living on the upper floors of the Gloucester Road properties will lose any outlook they now enjoy.
- (3) The existing access next to 14 Gloucester Road is jointly used by owner of 3 Gloucester Road and Nat West Bank only and strongly object to use in connexion with this development.

The consultation period expires on 13th December, 2007.

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 As noted above, the current proposals are an amended scheme, which aims to overcome concerns raised by officers and in representation regarding the adverse impact on the amenity of occupants of flats in Gloucester Road and to ensure that access to the flats is on land within the applicant's ownership and control. Taking the

representations relating to the earlier scheme into account I consider that the main issues are the effect on the character and appearance of Ross-on-Wye Conservation Area, the effect on the amenities of neighbours and whether the additional flats would be acceptable given the lack of off-street car parking.

- 6.2 13 Market Place is not a listed building and internally appears to have been considerably altered. The Conservation Manager points out that the main 'street elevation has been mutilated beyond repair and there is little evidence of the remainder of the building being of significant historic interest'. The replacement building would complement the style of adjoining buildings with their regularly sized and spaced upper floor windows. The current proposal would re-instate this 'basic form of the original nineteenth century street elevation'. The rear section is of modern design and materials and therefore contrasts with the adjoining buildings. Nevertheless in this position, which is obscured from most public views, I consider the proposal to be appropriate.
- 6.3 The adjoining properties in High Street and Gloucester Road are retail shops, a bank and a coffee bar on the ground floor, some of which have rear windows. However only in one case does the window light the main shop rather than storage/office space and any adverse impact would not be significant. There are however a number of residential flats at first and second floor levels. These would be about 5m away from the southern elevation of the proposed building and in the case of the flat at 14 High Street which faces east even closer. Concerns were raised that the earlier scheme would be obtrusive and restrict lighting to those flats. The current proposal seeks to overcome these concerns by limiting the rear extension section to two storeys (originally three storeys) plus a basement and a shallow pitched roof. Although the new building would be taller than the existing store the adjoining flats are either at second floor level or the first floor windows are higher up the elevation than normally found. Consequently I do not consider that the proposed building would be unacceptably overbearing or adversely affect lighting. There are no living room windows in the proposed building facing the existing flats and loss of privacy does not therefore arise.
- 6.4 To the north of the application site is a retail shop with rear yard. The proposed building at 13 Market Place would be higher than the existing, in particular at the eastern end. The windows and balconies of the flats would face towards the north and although this would not result in loss of residential amenity it would constrain, to some degree, future development on the adjoining land. This is only likely to be significant at first floor level and I do not consider this to be sufficient grounds to justify refusing planning permission.
- 6.5 There is no vehicular access to the rear yard and off-street car parking cannot therefore be provided. Policy H16 indicates that the level of off-street parking should reflect the type of housing and likely households, and the availability of public transport. In this case the flats are not family units, 9 having only 1 bedroom, the remaining 3 having 2 bedrooms. There are 2 flats with 2 or more bedrooms in the existing buildings and only 1 additional flat with 2 bedrooms would therefore be formed. Furthermore the site is at the heart of the town centre and in comparable cases the lack of off-street parking spaces has not been grounds for refusal. The yard can accommodate covered and secure cycle parking and one space for each flat is proposed to meet the Council's standard.
- 6.6 Affordable housing is required by UDP Policy H9 when there are 15 or more dwellings being constructed in a market town or the site is over 0.5 ha. The current proposal is

for 12 only with a net increase of 10. The site is about 0.05 ha in area. It would not therefore be a necessary requirement to provide affordable units as part of this proposal. As small residential units they are likely to be at the lower end of the housing market although still above an 'affordable' price (as defined in paragraph 3.3 of SPG Provision of Affordable Housing).

6.7 The contributions towards sports facilities may be a requirement if the draft SPG Planning Obligations is adopted. However under current policies and Government guidance I do not consider that this contribution would be necessary to off-set the impact of the development.

**RECOMMENDATION**

**In respect of DCSE2007/3531/F:**

**That planning permission be granted subject to the following conditions:**

- 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.**

- 3. G04 (Landscaping scheme (general))**

**Reason: In order to protect the visual amenities of the area.**

- 4. G05 (Implementation of landscaping scheme (general))**

**Reason: In order to protect the visual amenities of the area.**

**Informative(s):**

- 1. N19 - Avoidance of doubt**
- 2. N15 - Reason(s) for the Grant of Planning Permission**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies

In respect of DCSE2007/3548/C:

That Conservation Area Consent be granted subject to the following conditions:

1. C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. C14 (Signing of contract before demolition)

Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Informative(s):

1. N19 - Avoidance of doubt

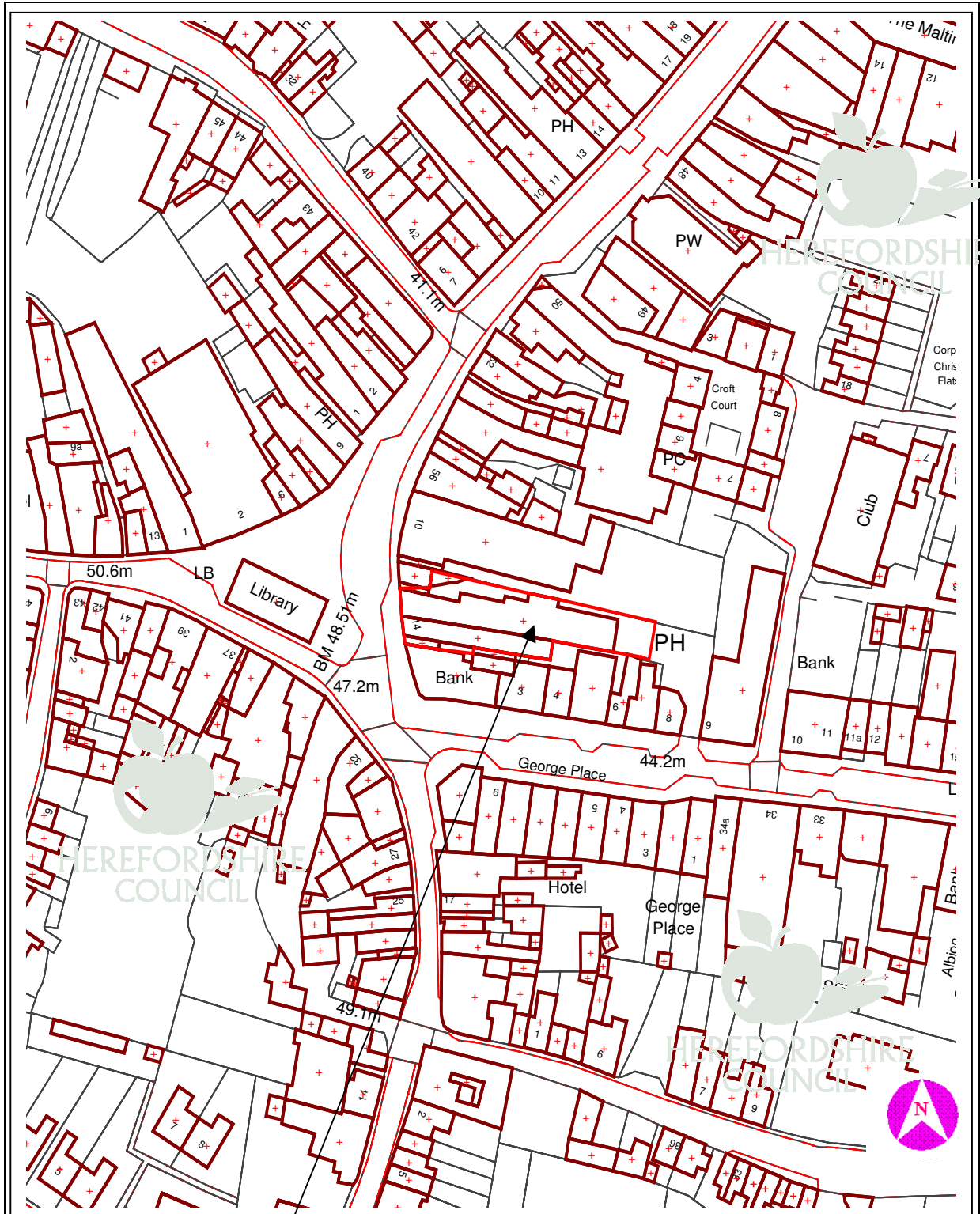
2. N15 - Reason(s) for the Grant of Conservation Area Consent

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2007/3531/F & DCSE2007/3548/C

**SCALE :** 1 : 1250

**SITE ADDRESS :** 13/14 Market Place, Ross-on-Wye, Herefordshire, HR9 5NU

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