

**8 DCSE2007/3491/F – ‘ARQUALAND PROPRIETARY’ COVER OVER TERRACE TO PROVIDE ADDITIONAL SPACE FOR FITNESS SUITE, CATS, LEYS HILL, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5QU.**

**For: Mr & Mrs G & S Mitchell per Graham Frecknall Architects, 9 Agincourt Street, Monmouthshire, NP25 3DZ.**

**Date Received: 6th November, 2007    Ward: Kerne Bridge    Grid Ref: 58664, 18821**

**Expiry Date: 1st January, 2008**

Local Member:    Councillor JG Jarvis

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

- 1.1 The site is located in an elevated position on the steep southwest-facing slope of Leys Hill, Ross-on-Wye. It is accessed from the U70408 road that climbs from Kerne Bridge onto Leys Hill. The site falls within the open countryside, an Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- 1.2 The site comprises a broad strip of land that follows the contours around Leys Hill, to the south east of the U70408 road. The main driveway runs along the lower edge of the site, serving an existing children's nursery, gym and swimming pool building, which are grouped with the applicant's house towards the rear of the site. There is a tarmac parking area to the front of the buildings and a hard surfaced tennis court lies on terraced ground in the central part of the site. The remainder of the site comprises open grassed areas, which contain scattered, predominantly semi-mature trees. The site is fairly well screened by surrounding woodland and trees but there are long distance views into the site from the hills to the southeast.
- 1.3 The proposal is to erect a lightweight cover over an existing terrace on the western side of the existing buildings. The building is constructed from structural aluminium beams, stainless steel fixtures and fittings and polycarbonate glazing. The proposal does not involve the need for any ground works, as the structure will sit on existing low terrace walls. The building will measure 4.95m x 6.95m x 2.58m.
- 1.4 The additional space is required to allow the existing personal fitness programmes to function effectively as part of the existing facilities.

## **2. Policies**

### **2.1 Planning Policy Statements**

- |       |   |  |
|-------|---|--|
| PPS.1 | - | Delivering Sustainable Development     |
| PPS.7 | - | Sustainable Development in Rural Areas |

## 2.2 Herefordshire Unitary Development Plan

Policy S.1	-	Sustainable Development
Policy S.8	-	Recreation, Sport and Tourism
Policy DR.1	-	Design
Policy E.5	-	Safeguarding employment land and buildings
Policy E.6	-	Expansion of existing businesses
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy RST.1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST.2	-	Criteria for Recreation, Sport and Tourism Development within Areas of Outstanding Natural Beauty

## 3. Planning History

3.1	SH871537PF	Change of use into children's nursery school and extension to form playroom	-	Permitted 16.12.87
	SH87168PF	Extension to provide additional living accommodation	-	Permitted 25.01.88
	SH881381PF	Extension to form leisure and recreation room for pre-school age children	-	Permitted 05.10.88
	SH940484PF	Relaxation of conditions to allow for use of premises for recreational and cultural purposes	-	Permitted 07.09.94
	SH960425PF	Extension to provide additional space for recreational and cultural activities	-	Permitted 01.11.96
	SH960841PF	Permanent provision of kids club	-	Permitted 11.12.96
	SE1999/3239/F	To apply for permanent kids club use and to consolidate all extant planning consents for educational, leisure, recreational and cultural facilities for children and adults	-	Permitted 17.08.00
	DCSE2006/3912/F	9 timber lodges, tourist reception building and covered extension to fitness suite	-	Refused 24.01.07
	DCSE2007/0479/F	6 timber lodges and covered extension to fitness suite	-	Withdrawn 23.03.07
	DCSE2007/2263/F	4 timber lodges for holiday use in association with continued use of land as a children's nursery school and kids club together with approved leisure, recreational, educational and cultural use. Proposed covered extension to fitness suite	-	Refused 11.09.07

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

##### Internal Council Advice

- 4.2 The Traffic Manager is concerned about the intensification of use as the existing access with the public highway is poor as is the 'B' road junction. If no intensification, then the proposal is acceptable but needs to be monitored.
- 4.3 The Conservation Manager comments are awaited.
- 4.4 The Environmental Health Manager has no objection to the proposal.

#### **5. Representations**

- 5.1 Walford Parish Council provide the following comments:

There were no objections to the idea of a cover but the proposed materials were considered to be aesthetically unappealing.

- 5.2 3 letters have been received from A.M Flynn, Kirkstone, Leys Hill, Walford, Ross-on-Wye, HR9 5QU and N.A.T Duffield, Hazelhurst House, Leys Hill, Walford, Ross-on-Wye and Derene and William Cansdale, Orchard House, Orchard Heights, Leys Hill, Bishopswood, HR9 5QU objecting to the development on the following grounds:

- Represents development in a Area of Outstanding Natural Beauty and is inappropriate for its setting. Site is already out of character and further piecemeal development will compound the already detrimental effect on the area.
- Has the potential to add light pollution from this site.
- Noise pollution – how will the building be soundproofed?
- Expanding business activities will lead to increase traffic pressure on an unsuitable, unclassified road, which meets with the B4234 at a notoriously dangerous junction.
- Business is for sale, must surely be suspected to be attempting to add value to the site.
- Shape, construction and design of the cover has the appearance of a polytunnel and consequently it will appear as blot on the landscape and also reflect the sun in the same way as polytunnels.
- Solar gain will require windows to be opened resulting in even higher noise pollution.

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 main considerations in this application are whether there is an adverse impact on the Wye Valley Area of Outstanding Natural Beauty, whether the proposal is in keeping with the character of the existing building and its surroundings in terms of scale, mass, siting, design and materials and whether there is an adverse impact on the highway.

- 6.2 The site is located within the Wye Valley Area of Outstanding Natural Beauty. The primary purpose of designation of these areas is to conserve and enhance their natural beauty. The most relevant policy with regard to the AONB is Unitary Development Plan Policy LA1.
- 6.3 In addition, the pressure for recreation related development within the AONB merits a specific policy within the Herefordshire Unitary Development Plan – Policy RST2. Whilst AONB designation allows recreation proposals to be accommodated where such developments do not compromise the landscape quality, it is important that precedence is given to the principal aim of conserving and enhancing the natural beauty of the area.

Policy RST2 reads as follows:

Within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty, the conservation of the unique character and qualities of the landscape and of biodiversity and geological interests will have precedence over the development of facilities for recreation, sport and tourism. In particular such developments must:

1. respect and be in keeping with the inherent distinctiveness of the local landscape;
  2. be small-scale and constructed from appropriate materials; and
  3. make a positive contribution to the understanding and quiet enjoyment of the natural beauty of the AONB.
- 6.4 Council policy therefore places paramount importance on the protection of the natural beauty of the AONB, which is of national importance. For this reason the policy is particularly restrictive and development should only be permitted when it meets the specific requirements of the policy. I will examine the proposal against Policy RST2.
- 6.5 The first policy issue is whether the development respects and is in keeping with the inherent distinctiveness of the local landscape. Given that the site is already used as a leisure facility and the existing landscape character is that of amenity land associated with the leisure facilities, development of the scale proposed, is considered to be acceptable. There is very limited change to the landscape character of the site. The proposal is not considered to have an undue effect on the rural quality and character of the AONB.
- 6.6 The second policy issue is whether the development is small scale and constructed from appropriate materials. The proposal is to erect a small-scale lightweight cover over an existing terrace on the western side of the existing buildings. The building will be constructed from structural aluminium beams, stainless steel fixtures and fittings and polycarbonate glazing. A building of this nature already exists on site, covering the existing swimming pool. The proposed building will be read against the background of the existing buildings and screened by large mature trees to the south of the site. It is not considered to harm the character or quality of the landscape.
- 6.7 The third issue is whether the development makes a positive contribution to the understanding and quiet enjoyment of the natural beauty of the AONB. There is an existing commercial use on site. The existing terrace, which the building proposes to cover, is already used in connection with the leisure facilities. The cover should ameliorate any potential noise that is emitted from the use of the open terrace.
- 6.8 Representations have been received in respect of the suitability of the highway network to accommodate the proposed building. The Traffic Manager has raised no

objection to the building provided it does not involve intensification in the use of the site. The covered area is required to allow the existing personal fitness programmes to function effectively as part of the existing facilities. No intensification in use is proposed and therefore there is no additional impact on the highway network.

**RECOMMENDATION**

**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 G09 (Retention of trees/hedgerows)**

**Reason: To safeguard the amenity of the area.**

**INFORMATIVES:**

**1 N19 - Avoidance of doubt**

**2 N15 - Reason(s) for the Grant of Planning Permission**

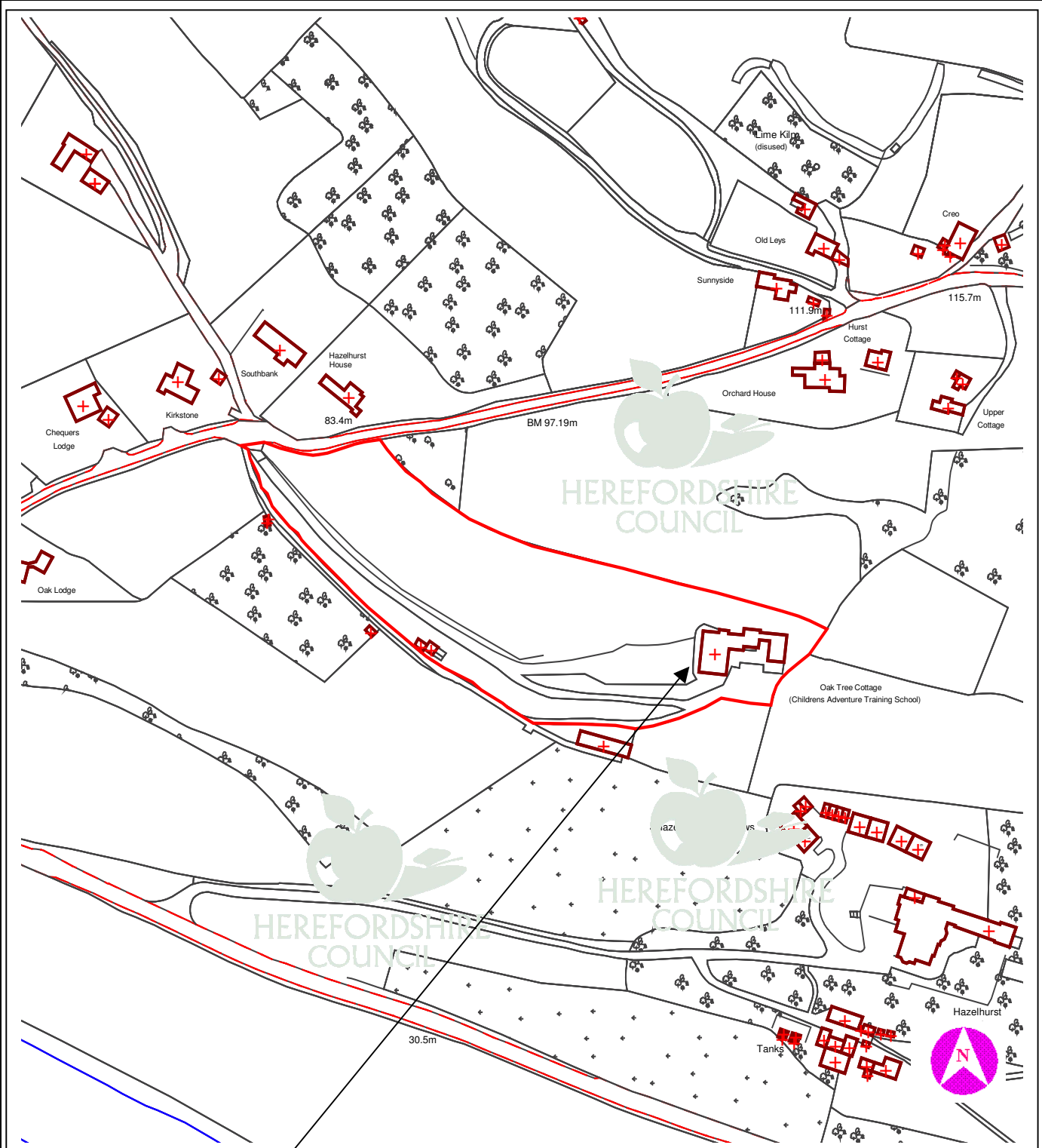
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2007/3491/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** Cats, Leys Hill, Walford, Ross-On-Wye, Herefordshire, HR9 5QU

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