

**7 DCSE2007/3872/F - ERECTION OF A 5M X 9M GARDEN ROOM STRUCTURE TO THE FRONT OF THE BUILDING. PREDOMINANTLY TIMBER WITH TRELLIS PANELS AND BALUSTRADE AND TIMBER SHINGLE ROOF AT THE HOPE AND ANCHOR, ROPE WALK, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7BU**

**For: Marstons Plc. per Link Design Consultants Ltd, 32 Bradford Street, Birmingham, B5 6HX**

**Date Received: 18th December, 2007 Ward: Ross-on-Wye West Grid Ref: 59619, 24189**

**Expiry Date: 12th February, 2008**

Local Members: Councillors CM Bartrum and G Lucas

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

- 1.1 The site is between Wye Street and the River Wye in Ross-on-Wye and comprises a public house, car park and grassed beer garden area with two timber buildings and numerous picnic tables and benches. The site is within the Ross-on-Wye Town Conservation Area and the Wye Valley Area of Outstanding Natural Beauty. Being in close proximity to the river the site is within the flood plain. Levels in the site rise gradually from the top of the river bank to the public house to the east.
- 1.2 It is proposed to erect a timber structure on a base of some 9 metres by 5 metres in area and 0.8 metres in height, the structure itself would be slightly smaller in terms of floor area. The structure would have a hipped roof with a ridge height of 4 metres and would be sited to the south of the existing wall between the carpark and beer garden area. There is an existing shed, which serves refreshments, in close proximity to the siting of the proposed structure. It is proposed to resite the existing shed. This would be the subject of a separate planning application. The proposed structure would have a timber boarded northern elevation, open southern elevation and partially trellis clad eastern and western elevations. The proposed structure would be cut into the ground to the eastern side and would be open beneath to allow flood water to flow through. Landscaping is proposed around the structure.
- 1.3 This application is a resubmission following the withdrawal of the previous application SE2007/3335/F. This revised scheme is for exactly the same structure in terms of its size, design and materials as previously proposed, but on a different siting further away from the public right of way and nearer to the public house.

## **2. Policies**

### **2.1 Planning Policy Statements**

- |       |   |                                       |
|-------|---|---------------------------------------|
| PPS 1 | - | Delivering Sustainable Development    |
| PPG15 | - | Planning and the Historic Environment |
| PPS25 | - | Development and Flood Risk            |

## 2.2 Herefordshire Unitary Development Plan 2007

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR7	-	Flood Risk
Policy DR13	-	Noise
Policy E6	-	Expansion of Existing Businesses
Policy NC3	-	Sites of National Importance
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy HBA6	-	New Development within Conservation Areas

## 3. Planning History

3.1	SH83/0802/PF	Refurbishment of Potters Bar	-	granted 9.11.1983
	SH87/1193/PF	Change of use of shed to storage associated with the Hope and Anchor	-	granted 28.10.1987
	SH96/0398/PF	Extension to form toilet, wine store and kitchen with restaurant over to the rear of the Hope and Anchor	-	granted 20.5.1996
	SH98/0062/PF	Ground floor extension to rear to provide additional catering kitchen facilities	-	granted 10.3.1998
	SE2007/3335/F	Erection of a 5m x 9m garden room structure to the front of the building. Predominantly timber with trellis panels and balustrades and timber shingle roof.	-	withdrawn 12.12.2007

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Environment Agency - awaited, no objections to previous application on the basis that the application is for minor development sited over 7 metres from the top of the river bank.
- 4.2 Natural England consider that the development would not adversely affect the River Wye Site of Special Scientific Interest.
- 4.3 Open Spaces Society have not replied.
- 4.4 The Ramblers Association object to the proposal, stating that it would not be in keeping with the AONB or Conservation Area and would, if granted, set a precedent. The structure would be closer to the river than existing development and would block open views.

Internal Council Advice

- 4.5 The Traffic Manager raises no objections.
- 4.6 The Public Rights of Way Manager comments that the proposal would not appear to affect the public right of way.
- 4.7 The Conservation Manager objects to the proposal with regard to its size, design and materials (on the previous application which was for an identical building in terms of its size and appearance no objection was raised except comment was made on one particular design issue).

**5. Representations**

- 5.1 The applicant has submitted a Design and Access Statement and a letter. In summary these state:

- have complied with Conservation Officers
- development required for continued profitability of Public House
- business survives almost purely on summer income
- new structure would provide unique setting and area for functions, such as wedding and allow area to be used into winter months drawing more business in the slower months
- proposed use is for external area for eating and drinking, which will hopefully entice custom into the area. Designed to enable smoking
- area likely to be used in the summer, but it will contain heating and lighting so could be used throughout the year
- siting in the beer garden allows the proposed structure to sit comfortably within its surroundings
- effort has been taken regarding materials, design etc
- structure would be over 7 metres from the river bank and butting up to the existing wall as required by the Environment Agency for extra protection from flowing waters during severe flooding
- the siting has been amended following advice from the Council's Public Rights of Way Officer
- old coracle boats are proposed as planters and small plant borders to the front of the structure
- main structure would be timber joists and posts, with worn effect veneer, on a decked area. Trellis of a diagonal design is proposed to compliment existing trellising on site. New patio would be provided on the grassed area between the proposed structure and the existing building.

- 5.2 Ross-on-Wye Town Council has no objections.

- 5.3 Two letters of representation have been received from Mr Morgan of Welsh Newton and the Ross-on-Wye and District Civic Society. The main points raised are:

- garden room would be a monstrosity, compounded by its height to accommodate the flood plain and no amount of design and materials could mitigate this.
- the site floods more than once a year
- would be a visual intrusion to the users of the public footpaths
- inevitably will be a further eye sore with discarded debris and anti-social behaviour after closing time
- would set a precedent for similar developments in the area

- the structure would occupy a significant frontage and would be unacceptably close to the riverside footpath
- question the need for such a facility, there is an existing building to the left of the Inn (as viewed from the river) which already serves as a restaurant
- any proposal for heating of the gazebo would be inappropriate in the context of global warming

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 the determination of this application are the effect of the proposal on the character and appearance of surrounding area, the impact on the public right of way, and the effect on the flood plain.
- 6.2 The site is an important location in terms of landscape quality and the built environment. Policy LA1 of the Unitary Development Plan states that priority will be given to the protection and enhancement of the natural beauty of the Area of Outstanding Natural Beauty. It does not prevent new development, but states that it should be small in scale, not adversely impact upon the intrinsic natural beauty of the landscape and is necessary to facilitate the economic and social well being of the area and community. In addition, policy HBA6 requires that new development should preserve or enhance the Conservation Area and that, amongst other things, development should respect the scale, massing and height of adjoining buildings and quality and type of design that contribute to the area's character and appearance.
- 6.3 The building proposed would have a floor area of some 45 square metres and a height of 4.8 metres (base and structure). This would represent a significant new structure in this sensitive location. From the car park the structure would only be partially screened by the existing wall and would impinge upon views of the river from the car park. It would not restrict views along the riverside path in either direction, however it would obscure views of the public house from the public footpath. The applicant's agent has stated that the proposal is needed to support the existing business. Whilst it is not a proposal to expand the current business in terms of its capacity for customers the proposal would extend the facilities provided at the premises for use by its customers and hopefully extend the months that the outdoor space could be used.
- 6.4 In light of the planning history and in its context, in relatively close proximity (11 metres) to the two storey public house and within the existing beer garden, it is considered that it would not appear unduly large or out of scale with the existing development and not intrusive in the scenic landscape. Balancing the applicant's asserted need against the visual impact of the building it is considered that the structure would not be harmful. In terms of setting a precedent, each application is considered on its own merits and therefore this application could not be refused on this basis.
- 6.5 The revised siting of the structure would ensure that it would not encroach onto the public right of way, which runs alongside the riverbank. It is considered that the proposed use, which is compatible with the existing use of the site as a whole, would not adversely affect the enjoyment and use of the public footpath either.

6.6 The proposed structure has been designed taking into account the advice of the Environment Agency. Therefore, in respect of flooding issues the proposal is acceptable.

**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 B01 (Samples of external materials)**

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

**3 F32 (Details of floodlighting/external lighting)**

**Reason: To safeguard local amenities.**

**4 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.**

**5 G04 (Landscaping scheme (general))**

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

**6 G05 (Implementation of landscaping scheme (general))**

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

**INFORMATIVES:**

**1 N19 - Avoidance of doubt**

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

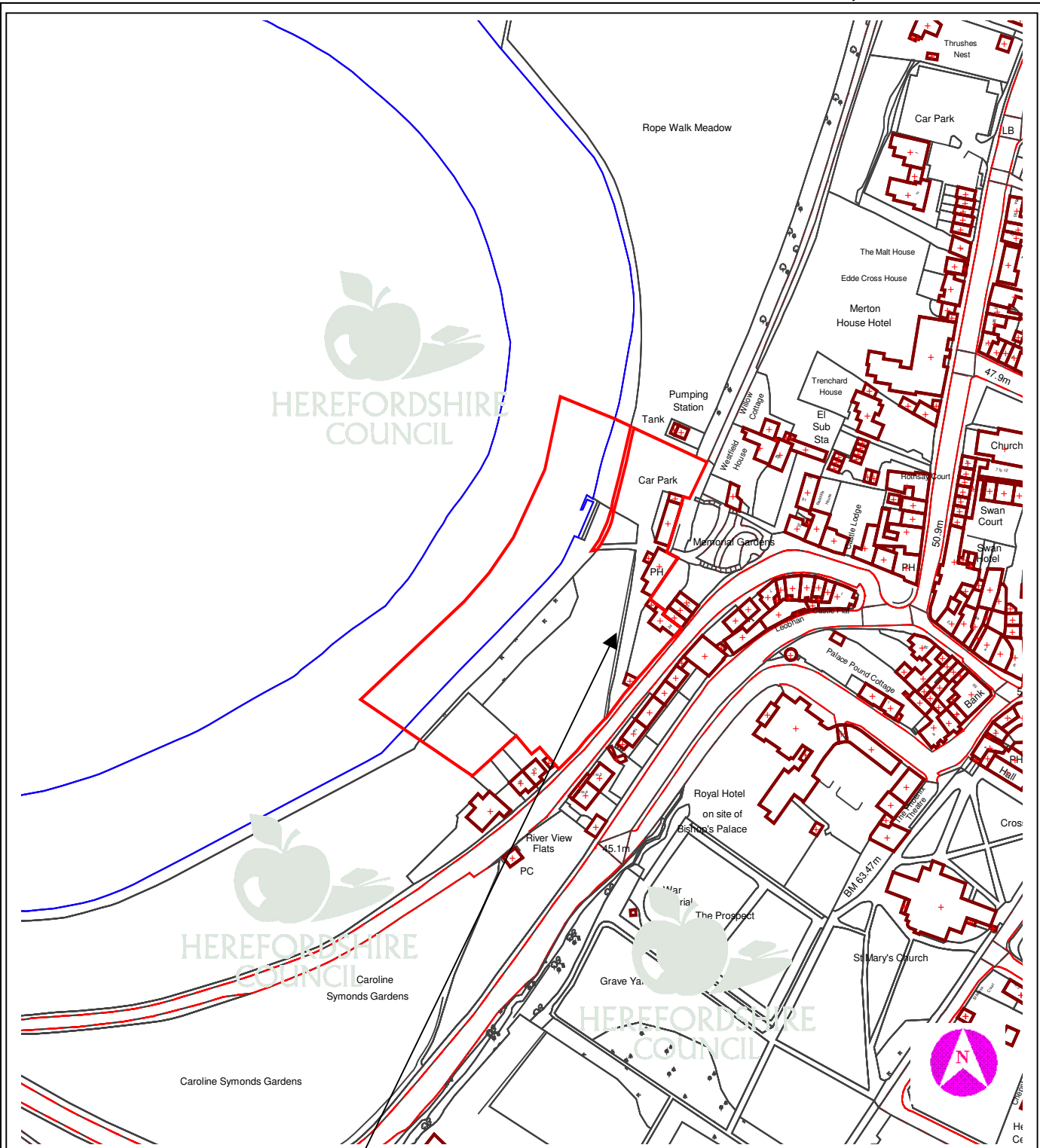
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2007/3872/F

**SCALE :** 1 : 2500

**SITE ADDRESS :** The Hope and Anchor, Rope Walk, Ross-on-Wye, Herefordshire, HR9 7BU

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