

5 DCSW2008/0282/F - ERECTION OF 4 NO. SINGLE STOREY HOTEL ACCOMMODATION SUITES, PILGRIM HOTEL, MUCH BIRCH, HEREFORD, HR2 8HJ.

For: Pilgrim Hotel per RRA Architects Ltd, Packers House, 25 West Street, Hereford, HR4 0BX.

Date Received: 5 February 2008

Ward: Pontrilas

Grid Ref: 49989, 30813

Expiry Date: 1 April 2008

Local Member: Councillor RH Smith

Introduction

This proposal was deferred at the meeting on 2 April 2008.

1. Site Description and Proposal

- 1.1 This site is located on the southern side of A49 Trunk adjacent to the northern limits of Much Birch. The Pilgrim Hotel is set within extensive grounds, extending up to 1.6 hectares, the major part of which is to the rear of the building. The original building is of stone construction with a slate roof. This has been extended primarily on either end in brick with tile roofs to provide additional accommodation and space for functions. To the front is a large car parking area. The access arrangements operate as a one-way system. The site is entered from the A49 but exited onto Tump Lane.
- 1.2 The site adjoins open fields on its south-west and north-west sides but with the south-east boundary formed with recently built housing.
- 1.3 This detailed application relates to an area next to the hotel itself and adjacent to the south-east boundary. It is proposed to construct a single storey building to provide four accommodation suites. The structure would be 20m by 9m, with an eaves height of 2.5m and ridge height of 4.7m. In addition there would be a corridor link to the main hotel building. The external materials would be brick and tile to match those on the existing building. The proposal would involve the removal of the beech tree immediately adjacent to the hotel.
- 1.4 On 28 March 2008 a Tree Preservation Order was made in respect of the two beech and the cedar trees in the vicinity of the site.

2. Policies

2.1 National Planning Policy

PPS1 - Delivering Sustainable Development
 PPG7 - Sustainable Development in Rural Areas
 Good Practice Guidance for Planning on Tourism

2.2 Herefordshire Unitary Development Plan 2007

Policy DR1 - Design

Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy T11	-	Parking Provision
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy LA3	-	Setting of Settlements
Policy LA5	-	Protection of Trees
Policy LA6	-	Landscaping Schemes
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST12	-	Visitor Accommodation
Policy CF2	-	Foul Drainage

3. Planning History

Most recent only

- | | | | | |
|-----|-----------------|--|---|--------------------|
| 3.1 | DCSW2005/3946/F | Single storey restaurant extension | - | Approved 26.01.06 |
| | DCSW2006/1753/F | Conversion of roof space to manager's flat | - | Approved 24.07.06 |
| | DCSW2007/0344/F | Erection of 8 single storey hotel accommodation suites | - | Withdrawn 05.02.08 |

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency has no objection. They comment that there will be some further vehicle movements but this should not significantly affect the safety or free-flow of vehicles on the A49 in this location and that the Tump Lane junction satisfies the required visibility standard.
- 4.2 Welsh Water requests that if permission is granted conditions be imposed. These would ensure that foul and surface water is drained separately and that no surface water drainage connects to the public system.

Internal Council Advice

- 4.3 The Traffic Manager has no objection subject to conditions.
- 4.4 The Head of Environmental Health has no objection.
- 4.5 Conservation Manager - Landscape Officer comments:

Initial Comments

"From a landscape perspective, the proposed scheme is a significant improvement on the previous scheme. The fact that the new building is an extension means that it relates closely to the main hotel building and impinges much less on the parkland character of the hotel grounds.

There are, however, arboricultural issues that will need to be addressed. The extension extends underneath the canopy of two mature trees and the impact of the extension on the trees and vice versa needs to be addressed.

In terms of the form of the extension, I support the concept. With regards to the mature tree which is adjacent to the main hotel building, I acknowledge that there is already an area of hard standing under this tree and that the use of a single storey linking corridor will help to reduce the impact of the new building on the tree. However, I am concerned that the new accommodation block extends underneath the canopy of this tree and that it extends under the canopy of the mature tree further down the site boundary. The impact of the new building on the root system of the trees and on their branch structure needs to be addressed. It is important to note that impacts on the trees may be greater due to the need for construction working space.

It is possible to site a new building in close proximity to existing trees, but only if the design of the foundations, the form of the building and working space requirements are properly considered. I advise therefore that the agent will need to submit a tree constraints plan, an arboricultural implications assessment and a tree protection plan, *as part* of the planning application. This information must be in accordance with British Standard 5837: 2005 - Trees in relation to construction. It would not be acceptable to submit this information after the design has been finalised. The design of the extension may have to be modified in the light of this information.

I would strongly recommend that the agent obtains this advice from an arboricultural consultant. Input from an arboricultural consultant would ensure that the new extension is compatible with the retention of the mature trees and that the trees do not damage the extension. I have attached a list of arboricultural consultants operating in Herefordshire. Once the arboricultural issues have been properly addressed, I would offer my support to the proposed development.”

Further revised comments:

“There are two mature beech trees (*Fagus sylvatica*) on this site, one adjacent to the south-eastern end of the hotel, which I will term T2 and one further down the south-eastern site boundary, which I will term T3. The beech trees are of high amenity value.

Should it be determined that an extension to the hotel is acceptable in principle, then the key design issues to be resolved on this site are designing an extension that relates well to the existing hotel building and grounds and which does not impinge on the existing mature trees on the site.

I have consistently advised that if any design involved siting the extension in proximity to the mature beech trees then the agent would need to obtain expert advice from an arboricultural consultant, comprising a tree survey, a tree constraints plan and an arboricultural implications assessment and to use this information to inform the siting and design of the building.

It is my view that the agent has developed the design for the extension in the absence of expert advice from an arboricultural consultant. Predictably the design that has been submitted (DCSW2008/0282/F) is not acceptable because the accommodation block extends underneath the canopies of both T2 and T3 and would clearly cause harm to the root systems of the trees. Impacts on T2 will be greater due to the need for construction working space. In my memo dated 5th March 2008 I advised,

therefore, that the agent should obtain advice from an arboricultural consultant and modify the design of the extension to ensure that it was compatible with the retention of the trees.

The agent has obtained advice from a consultant from Heritage Woodland Management at a very late stage in the design process – the letter from Heritage Woodland Management is dated 19th March 2008. The consultant advises that the proposed extension is not compatible with the retention of T2. This is inevitable, given that arboricultural advice was not used to inform the design of the extension.

I do not agree with some of the advice given by the consultant from Heritage Woodland Management. He suggests that it would not be possible to design an extension that would be compatible with the retention of T2. This is because he makes the assumption that there would be further disturbance of T2's root system. This could be avoided completely, should existing hardstanding be utilised and the accommodation block be sited outside of the defined root protection areas for T2 and T3. Clearly the starting point for the design work should have been obtaining a plan of the root protection areas, as this information would dictate the scale of the extension that could be accommodated between T2 and T3.

I also dispute the advice that T2 will pose a threat to the existing building and residents in the future and should therefore be felled. Herefordshire Council's Arboriculturalist assessed the condition of T2 as being reasonable and T3 as being good. Providing that the owner of the hotel arranges for the trees to be regularly inspected by a tree surgeon or arboricultural consultant, in accordance with good practice, there should be no unacceptable risk.

Rather than redesigning the extension so that it is compatible with the retention of the beech tree (T2), which I maintain is feasible, the agent is now proposing that T2 should be felled. I do not support this proposal. It is the failure to obtain arboricultural advice at the outset of the design process and to use it to inform the design, which has led to the proposal to fell the beech tree. This is clearly unacceptable. I recommend, accordingly, that permission should be refused for the development, because it would be contrary to Policies DR1: Design, LA5: Protection of trees, woodlands and hedgerows and LA6: Landscaping schemes."

5. Representations

5.1 The applicant's agent has submitted a Design and Access Statement, which can be summarised as follows:-

- The intention is to sympathetically extend the hotel
- The proposal is for "lodge" style self contained units for tourists
- Access would be from the current car park
- There would be level access to the units
- The building is low minimising the impact of the built form
- The design is sympathetic to, and the existing views of, the landscape
- The principle views are away from the adjacent dwellings

5.2 The agent has provided further details:

With regard to the trees a letter from "Heritage Woodland Management" advises that the beech tree adjacent to the hotel will be significantly affected by any further disturbance to the root system, it is already under stress from the existing buildings, a

further extension underneath it would be undesirable and it is recommended that it is removed. The other beech tree will be minimally affected. As a consequence of the advice the agent states that it is proposed to fell the beech tree adjacent to the hotel.

In addition the agent advises that the foul drainage will be to the existing septic tank, the surface water drainage will be indicated on the plan, the existing vegetation to the south east boundary will be retained but be pruned, the existing vehicular access arrangements will be retained and the car parking will be in the existing car park.

5.3 Much Birch Parish Council support

5.4 Letters of representation have been received from 2 Old Rectory Gardens, Walnut House, 3 Old Rectory Gardens and Councillor R Smith (on behalf of the owner of The Laurels).

The main points raised are: -

- Do not feel any further extension is justified.
- Boundary hedge must be retained but it is no barrier to noise and excessive lighting.
- Do not want vehicle access adjacent to boundary because of nuisance.
- Extra traffic will result and will put further pressure on Tump Lane.
- Concern about pollution from exterior lighting.
- Doubts as to as to how services (sewage, waste disposal, heating fuel) are to be provided.
- Concern over future use of suites.
- Will extension harmonise with hotel.
- Social activity at hotel needs to be managed sensibly.
- The proposed water and sewage connections onto the current system for Walnut House, Karinya and The Laurels will cause further problems including disruption and inconvenience and the soak away system may also cause problems.
- The building will be overbearing and there will be overlooking.
- Concern as to impact on mature trees.

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 Pilgrim Hotel has been established at this location for many years and previously permission has been granted for extensions both for additional accommodation and extended facilities. This proposal follows from a previous application in 2007 which proposed eight accommodation suites along the south-east boundary separate from the hotel. That application was withdrawn following concern as to the impact on the parkland landscape. There were negotiations on alternative locations of which the current proposal was one.

6.2 The proposal is described as accommodation suites but is for four additional bedrooms which would be linked to the hotel. Each would contain a bedroom and bathroom together with an external patio. This differs from the 2007 application when the accommodation suites were larger and each contained a kitchen and living space.

6.3 Firstly it is necessary to consider whether the principle of the development accords with planning policy. There is encouragement for the provision of visitor

accommodation in Policy RST12. This provides that within an identified settlement visitor accommodation can be permitted but outside of these accommodation will only be permitted where it involves the re-use of a building. Much Birch is an identified smaller settlement and although on its edge the Pilgrim Hotel could be considered to be outside the settlement. However this proposal involves the further development of an established hotel business and it would seem unreasonable to require that any further expansion can only be through the re-use of a building, not that there are any in this case. I consider therefore that in principle the provision of new build accommodation is acceptable.

- 6.4 There are a number of detailed issues to consider. Firstly is the acceptability of the location of the building. The open ground to the rear of the Pilgrim is extensive and comprises a lawn interspersed with some specimen trees. Although the access drive cuts across this space it does not unduly impinge on its character. There are panoramic views from the hotel and I consider it important that these and the parkland quality of the site remain uninterrupted. This proposal places a new building adjacent to the existing building and, apart from a siting to the front side of the building, I consider this to be the most suitable if there is to be any extension. In this position the intrusion onto to parkland and views will be minimised.
- 6.5 However in this position the building will be underneath the canopies of two of the mature trees. It is possible to erect new buildings in such positions but the impact on the trees must be carefully considered. The advice from the Landscape Officer provides more detail on this issue. A tree constraints plan, arboricultural implications assessment and tree protection plan were not included with the application but were requested. In response to this the agent states that one of the beech trees will be removed with the other minimally affected. I sought the further advice from the Landscape Officer on this issue (See paragraph 4.5 above). Having considered this advice this was a case where there was a direct threat to established mature trees. A formal evaluation of the trees was carried out and consequently a Tree Preservation Order was made.
- 6.6 Both of the beech trees make a significant contribution to the landscape and the local environment and it is important that such features are retained. Planning policy supports this approach. The advice of the Landscape Officer is that it may well be possible to design the extension such that it does not cause a threat to the trees. In these circumstances I can only conclude that the development which would result in the direct loss of one tree, and with an unresolved impact on a second, is not acceptable.
- 6.7 Notwithstanding the above there are a number of other material issues. With regard to the design the proposal is for a functional structure of single storey with a pitched roof and to be in materials to match those existing. I consider that the proposal in terms of its scale and design is appropriate.
- 6.8 Adjacent to the hotel boundary on this south-east side are existing houses. These have their access from Tump Lane. The proposed building would be some 5.5m from the common boundary. The boundary line is formed by a mix of hedging (deciduous and conifer) and fencing and there are changes in levels across the two areas. In terms of its height the proposed building at its closest point to the boundary would have a height of 2.5m (eaves). The highest part of the building is the ridge which is 4.7m but this would be some 10m from the boundary. I do not consider that the building would cause overshadowing or loss of light to the adjoining dwellings to an unacceptable degree. With regard to any overlooking that side of the building that

would face the boundary would contain six windows but these would be providing light to the service corridor. I do not consider that there would be overlooking of the adjoining dwellings to any unacceptable degree. On both these issues it would be important that the current boundary treatment is retained. The agent has confirmed that it will be retained although it will be pruned. The rooms would have patio doors to allow access onto an external patio with this to be on the side furthest away from the boundary. I do not consider that any noise generated should adversely affect the amenity of the adjoining dwellings.

6.9 The proposal does not involve the provision of vehicle access directly to the accommodation. The agent has confirmed that the car parking requirement would be met by the existing car park to the front of the hotel and that there is no intention to vary the current traffic system. Whilst there will be an increase in traffic this should not cause a problem with the capacity of either Tump Lane or its junction with the A49.

6.10 The representations raises issues with regard to service provision, notably sewage and surface water disposal. Clarification has been provided on these matters by the agent although this is not particularly detailed. On both these issues it is important to ensure that adequate provision is made on the site (unless foul sewage is to be linked to the main sewer) without any detriment to the adjoining dwellings.

6.11 Whilst there is a support through policy for the further development of visitor accommodation there is also a duty to ensure that features in the landscape are also retained. In this case the proposal involves the felling of a mature tree to accommodate the development, and I do not consider that any requirement for the extension should outweigh the requirement to retain the tree.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1 The proposed development involves the construction of a building in close proximity to two mature beech trees considered to be of amenity value and which make a significant contribution to the landscape and the quality of the local environment. Policies DR1, LA5, LA6 and RST1of Herefordshire Unitary Development Plan seek to ensure that development takes account of, protects and enhances such trees. The proposed development involves the direct loss of one beech tree and with the impacts on the other not fully resolved. The Local Planning Authority therefore consider the development proposed to be unacceptable as it would result in the loss of established features in the landscape and harm the character and appearance of the site and the locality.**

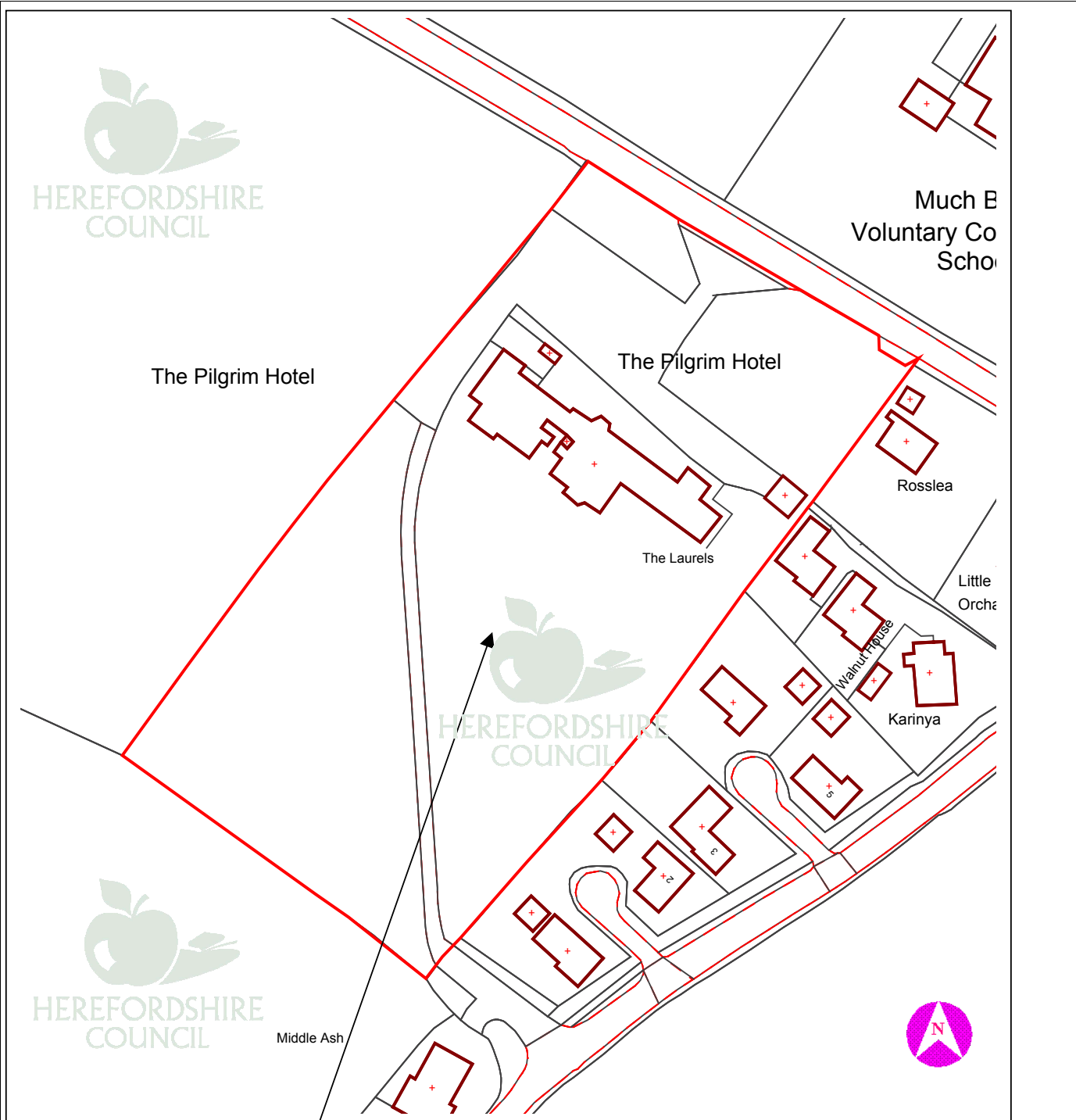
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2008/0282/F

SCALE : 1 : 1250

SITE ADDRESS : Pilgrim Hotel, Much Birch, Hereford, Herefordshire, HR2 8HJ

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