

MEETING:	PLANNING COMMITTEE
DATE:	6 APRIL 2011
TITLE OF REPORT:	<p>DMS/110216/F - RETENTION OF EXISTING DWELLING (PENRICE) AND ERECTION OF 8 TWO AND THREE BEDROOM DWELLINGS AT PENRICE, WALFORD ROAD, ROSS ON WYE, HR9 5PQ</p> <p>For: Mr Egan per M F Freeman, Ruardean Works Varnister Road, Nr Drybrook, Gloucestershire, GL17 9BH</p>

Date Received: 27 January 2011 Ward: Ross-on-Wye East Grid Ref: 359823,223347

Expiry Date: 7 April 2011

Local Members: Councillors AE Gray, PGH Cutter, C Bartrum and G Lucas

1. Site Description and Proposal

- 1.1 The application site is located on the east side of the B4234 Walford Road some 800 metres south of Ross-on-Wye town centre. The site comprises Penrice, a large inter-war detached dwelling, set within a garden curtilage that extends to 0.28ha. The site is within the settlement boundary of Ross-on-Wye, in the Wye Valley Area of Outstanding Natural Beauty and Ross-on-Wye Conservation Area.
- 1.2 The site is rectangular in shape with a frontage onto the Walford Road. The existing vehicular access is towards the northern end of the frontage with the driveway running diagonally and to the south of Penrice to a flat roofed garage and large parking area. The site is currently screened from Walford Road by a stone wall, wooden fence and mature roadside planting.
- 1.3 The southern perimeter is defined for much of its length by a 3 metre high stone wall, which also forms part of the north elevation of Chasedale Cottage, which as a consequence forms part of the southern site boundary. Westwood is a detached dwelling to the immediate north, with the remainder of the northern boundary formed by the playing fields to St. Joseph's primary school. Residential properties on Eastfield Road are found to the east beyond mature planting that forms the boundary.
- 1.4 This revised application follows the refusal of two earlier schemes, the more recent (DMSE/102061/F), being the subject of an undetermined appeal heard on 29 March 2011. The more recently refused scheme included the demolition of the existing dwelling and proposed a three storey apartment blocks containing 8 no.2 bed apartments at the front of the site with a 3 storey terrace of 3no. 3 bed townhouses at the rear. The refused scheme proposed a contemporary design approach but with a palette of materials intended to reflect the surrounding locality, including panels of red brick, render and glazing under a traditional slated roof with chimney stacks to provide vertical emphasis. The proposal was refused for the following reason:

Further information on the subject of this report is available from Mr S Withers on 01432 260612

The proposal would be an inappropriate form of development and by virtue of its detailed design, scale and massing would represent an over-development of the site that would be harmful to the character and appearance of the Ross on Wye Conservation Area and the established residential character of the area. The proposal is therefore contrary to Policies DR1, HBA6 and H13 of the Herefordshire Unitary Development Plan 2007.

- 1.5 This revised proposal would retain and refurbish the existing dwelling and now proposes the erection of a single L-shaped terrace of 8no. 2-3 bedroom properties to the rear. The L-shaped block would be of 2 storey scale with a ridge height of 7.8 metres and would front onto a parking courtyard providing a total of 18 spaces for the existing dwelling and the 8 new dwellings. By comparison to the previously refused schemes, the design approach is traditional incorporating projecting gables and dormer windows with a limited palette of materials (red brick, smooth render, natural slate and painter timber windows and doors). It is proposed to move the vehicular access to the south-west corner of the site and in addition to the L-shaped block, a new detached double garage is proposed to serve the retained dwelling and a combined refuse/cycle store would be provided for the 8 new dwellings. The garage and combined refuse/cycle store would be set each side of the new driveway serving the parking courtyard.
- 1.6 Chasedale Cottage and Westwood are the two dwellings in closest proximity to the application site. At it's nearest the L-shaped block would be 24 metres from Westwood and 12 metres from Chasedale Cottage although the proposed development would be within 5 metres and 2.5 metres of the respective boundaries. The east facing elevation towards the properties in Eastfield Road would be approximately 10 metres from the common boundary and some 53 metres from the nearest elevation of these properties.
- 1.7 The application is accompanied by a Design and Access Statement (revised), an ecological report (Bat and Reptile Survey), Tree Survey and Arboricultural Assessment, a Heritage Statement and a Sun and Daylight Analysis.
- 1.8 A draft heads of terms accompanies the application, the content of which is attached to this report.

2. Policies

2.1 National Planning Guidance:

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing
PPS5	-	Planning for the Historic Environment
PPS9	-	Biodiversity and Geological Conservation

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
DR1	-	Design
DR3	-	Movement
H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas

H13	-	Sustainable Residential Design
H14	-	Re-using Previously Developed Land and Buildings
H16	-	Car Parking
HBA6	-	New Development Within Conservation Areas
HBA7	-	Demolition of Unlisted Buildings Within Conservation Areas
LA1	-	Areas of Outstanding Natural Beauty
LA5	-	Protection of Trees, Woodlands and Hedgerows
NC1	-	Biodiversity and Development

2.3 Supplementary Planning Guidance/Material Planning Considerations

The Ross-on-Wye Town Plan (adopted as Additional Planning Guidance on 20 September 2010)

Ross Rapid Townscape Assessment (published March 2010)

3. Planning History

3.1	SH87/1589/PO	Erection of a dwelling for veterinary surgery assistant to live on site.	-	Refused
3.2	SH89/0095/PO	Three houses to rear of Penrice.	-	Refused 01.03.1989
3.3	DCSE2007/1955/O	Outline application for the erection of a detached dwelling with ancillary works on land adjoining Penrice.	-	Refused and dismissed on Appeal 28.02.2008
3.4	DCSE0009/1972/F & SE0009/1973/C	Demolition of existing residential property and construction of 14 no. apartments, associated car parking landscaping and access.	-	Withdrawn 18.12.2009
3.5	DMSE/100399/F & DMSE/10400/C	Demolition of existing residential property and construction of 14 no. apartments, associated car parking, landscaping and access.	-	Refused 12.05.10 Appeal Withdrawn
3.6	DMSE/102061/F & DMSE/102062/C	Demolition of existing residential property and construction of 8 no. apartments, 3 no. townhouses with associated car parking, landscaping and access.	-	Refused 03.11.10 Appeal lodged

4. Consultation Summary

4.1 Welsh Water : No objection raised subject to condition controlling the discharge of foul and surface water.

Internal Council Advice

4.2 Conservation Manager:

Historic Buildings Officer: No objection

Landscapes: Comments awaited, although no objections have been recorded against the 2 previous schemes

Ecology: Comments awaited, although no objections have been recorded against the 2 previous schemes

- 4.3 Traffic Manager: Comments awaited on the revised plans following initial concerns regarding the identified visibility and pedestrian splays, parking layout, cycle storage.

5. Representations

- 5.1 Ross Town Council: Recommend refusal because of the access on to the busy Walford Road. The extra number of vehicles turning out would be hazardous. The Committee also noted the strong local opposition.

Chairman expressed concern that the Ross Town Plan, which is now supplementary planning guidance had not been taken into account. Section 106 contributions need to be spent in Ross

- 5.2 15 letters of objection have been received from local residents, one accompanied by a 74 signature petition. The content of the letters is summarised as follows:

- Out of keeping with the prevailing character of the conservation area and would neither preserve or enhance the character or appearance of the area.
- The proposed buildings are inappropriate in terms of scale and density.
- The buildings would be overbearing in relation to their neighbours. The loss of residential amenity and privacy is unacceptable.
- Increased traffic movements would cause pollution and disturbance and result in increased levels of lighting
- Development would result in the creation of a busy junction onto the already busy Walford Road which would be detrimental to highway and pedestrian safety
- Permitting this development would result in an unwelcome precedent for similar redevelopment proposals that result in the loss of large gardens.
- Government guidance (PPS3) seeks to stop use of gardens for large scale residential development.
- Site is within AONB and development should conserve or enhance
- Description of development as “almhouses” is misleading
- No reference has been made to the Ross Rapid Townscape Assessment

- 5.3 Wye Valley Society comments as follows:

- Pleased that the new application proposes to retain the dwelling on site and also that the 8 terraced houses will not be as bulky or high as earlier applications
- Almhouse description misleading
- Still have concerns about the potential hazard of much increased traffic on Walford Road.

- 5.4 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 The recent planning history of the application site revolved around establishing the principle of whether demolition of the existing inter-war detached dwelling (Penrice) and the residential redevelopment of this site is an acceptable one, and it is clear that the sensitive context of the location, in particular its location within the Ross-on-Wye Conservation Area and the Wye Valley Area of Outstanding Natural Beauty, and its relationship with existing residential properties are key considerations in the determination of this revised application. Since the

refusal of the previous scheme, the applicant has revised the proposal, which now promotes the retention of the existing dwelling with an L-shaped two storey terraced development incorporating a total of 8 new 2-3 bedroom dwellings and two ancillary buildings for garaging/refuse and cycle storage. The proposed access arrangement is identical to that which has been submitted with previous schemes and entails the formation of a new access at the southern edge of the road frontage with the existing access closed off.

- 6.2 Having regard to the recently refused applications for the redevelopment of the site, it is appropriate to focus primarily upon the reasons for refusal (the subject of an appeal which was considered by Informal Hearing on 29 March 2011 although the Inspectors decision is pending) and to reconsider the impact of the revised development upon the character and appearance of the site and the surrounding locality as well as the implications for the privacy and amenity of residents living within the immediate vicinity of the site.

Detailed Design, Scale and Massing within the Ross-on-Wye Conservation Area and Wye Valley Area of Outstanding Natural Beauty

- 6.3 The revised proposal promotes a total of 8 new residential units (6, 3 bed units and 2, 2 bed units) together with the retention and refurbishment of the existing 4 bedroom dwelling and the provision of two ancillary buildings for the new and retained dwellings, a net reduction of 2 dwellings compared to the 11no. 2 bed units previously submitted. As a general observation it is considered that the visual impact of the new residential development and its overall scale and massing has been reduced.
- 6.4 Having particular regard to the visual impact of the development within the established suburban residential context of Walford Road, it is considered that the retention and proposed refurbishment of the existing dwelling on the front portion of the site will in itself result in a modest enhancement of the Conservation Area. The retention of the existing dwelling, albeit with two ancillary buildings slightly set back and to the immediate east of it will in this sense maintain the streetscene largely unchanged. Furthermore the revised approach would serve to limit the publicly visible elements of the site to the rear. The existing dwelling will retain an acceptable residential curtilage of its own being open at the front but enclosed to the side and rear.
- 6.5 With regard to the proposed L-shaped block, again it is recognised that it represents a significant new footprint of built development within a largely undeveloped garden curtilage. However it is also considered that the perception of its scale would be significantly reduced by its relatively inconspicuous position on the site when viewed from Walford Road, from where only a small section of the block would be glimpsed between the proposed ancillary buildings.
- 6.6 The height of the proposed new development has also been significantly reduced and is now a two storey proposal with a maximum ridge height of 7.9 metres (as compared to the 9.3 metre height of the recently refused scheme). The height of the block is accordingly subservient to the existing dwelling on the site (also 9.3 metres in height). The reduction in the storey height has resulted in a proposal that is longer and less compact, with the elevation (excluding the corner unit) facing the rear garden of Westwood extending to some 27 metres and the elevation facing Eastfield Road being approximately 18 metres. This said the new units would be set in from the site boundaries, having rear gardens ranging from 5-10 metres in depth.
- 6.7 The design approach has also been revisited and is now very traditional in appearance incorporating brick render and natural slate which is based upon the scale and appearance of almshouses in the locality (although it should be stressed that the dwellings are not intended to provide for residents in need of affordable housing). The mass of the L-shaped block is broken up by the introduction of forward projecting gables and the roof would also contain appropriately proportioned dormers. These features combined with eaves, window and porch details represent a significant change from the very contemporary designs that have been

submitted previously but are considered to be reflective of character of the locality and therefore acceptable within the context of this mixed but well established suburban residential area.

- 6.8 The L-shaped block would front onto a landscaped parking courtyard, which would maintain a sense of space to the rear of the existing dwelling further assisting with the dilution of the visual impact of the proposed new development upon the spacious and suburban characteristics that define this part of the Ross-on-Wye Conservation Area.
- 6.9 Notwithstanding the comparisons between the proposed and refused schemes, it remains the case that this proposal does represent a large footprint of new development within a sensitive location. This however, is not in itself grounds for the refusal of planning permission. The key policy consideration is whether the proposal can be considered to preserve or enhance the character of the Conservation Area. In this context it is worth noting that the mature landscaping within the site will not be affected by the proposals, and most importantly the trees adjacent to the boundary with Walford Road and which compliment the attractive mix of planting and built development which contribute to the character of this part of the Conservation Area will be properly protected. Furthermore the retention of the existing dwelling will serve to minimise the perception of change within the immediate locality allowing only glimpsed views of a small part of the new development to the rear and whilst neighbouring occupiers will have views of the site, the public vantage points are limited to views from immediately in front of the site in the vicinity of the proposed new access.
- 6.10 On this issue it is considered that the mature landscaping together with the set back and more restrained scale and elevational treatment of the L-shaped block in particular are such that the development in its revised form would preserve the essential spatial qualities that define the character and appearance of the Conservation Area and therefore accord with PPS5 and Policy HBA6 of the Herefordshire Unitary Development Plan. In the broader sense, and having regard to the AONB designation that covers much of Ross-on Wye and its environs, it is not considered that within this urban environment there would be any discernible impact upon the intrinsic landscape character of the surrounding area. Policy LA1 of the Herefordshire Unitary Development Plan is therefore satisfied.

Residential Amenity

- 6.11 The revised scheme incorporates a number of detailed design changes which combine to reduce the impact upon neighbouring occupiers. The key change, as identified above, is the reduction in ridge height of the development to a maximum height of 7.9 metres (some 1.4 metres lower than the refused scheme and the existing dwelling). This would serve to generally reduce the perceived scale of the development from those properties that bound the site. The proposal does present two relatively long elevations along the northern boundary with Westwood and the playing field associated with St Josephs RC Primary School; and the eastern boundary with the properties on Eastfield Road
- 6.12 This said, Chasedale Cottage, is most closely related to the proposed development and is located due south, such that it will not be impacted by overshadowing and any associated loss of daylight/sunlight. The design of Plot 9, closest to this boundary, has been amended so as to avoid any windows that overlook the rear terrace and garden of the property and the introduction of new windows in these elevations would be restricted by condition.
- 6.13 Westwood lies to the north and clearly its relationship with the existing building will be unchanged. The new two storey block would be at a distance of some 24 metres from the rear elevation at its nearest, with the nearest dormer window being approximately 26 metres away. Notwithstanding the reduction in ridge height now proposed, it is acknowledged that the end of the large garden curtilage will be overlooked to a greater extent by the rear facing dormer windows but this is already the case to a large extent by reason of the relationship of the

existing dwelling which has windows that overlook this part of the neighbours garden. It is not considered that this situation would result in the loss of privacy to an extent that would warrant the refusal of planning permission. Part of this north facing elevation would also overlook the end of the primary school playing field, but this in itself, is not objectionable.

- 6.14. A number of concerns relating to residential amenity arise from residents occupying the properties in Eastfield Road. In this respect, the reduction in height and change in design is of particular relevance. The first floor dormers in the rear elevation of L-shaped block would be some 10 metres from the well planted common boundary and 53 metres from the nearest elevation of properties in Eastfield Road and as such privacy standards are significantly exceeded and any reasonable concerns about overbearing impact have been satisfactorily addressed.

Other Material Considerations

- 6.13 A number of objections refer to the revised content of PPS3 and the implications of the advice on “garden grabbing”. It is considered that whilst this updated guidance does reduce the pressure placed upon local authorities to approve higher density schemes on garden plots in terms of meeting nationally prescribed targets for housing delivery on previously developed land, it does not override the need to consider each case on its merits and in relation to locally adopted policies. In this case, the Unitary Development Plan contains relevant policies that should be given significant weight in any determination. These policies seek to protect areas and individuals from the impact of unacceptable development and in this case for the reasons set out above it is considered that the relevant policies are satisfied
- 6.14 Whilst not a reason for refusal of the previous scheme, concern continues to be expressed at the level of vehicular movements that will be associated with the erection of 11 units at this location on Walford Road given that it is a busy road, well used by vehicles and pedestrians alike.
- 6.15 The Traffic Manager has been involved in the formulation of the revised access and parking arrangements. There have been some very minor revisions to the access and driveway and final comments are awaited. The means of vehicular access is now identical to previous schemes in terms of the visibility. Similarly the parking provision of 18 spaces (2 per dwelling excluding the double garage) is considered acceptable, with a condition recommended to ensure that the parking areas and secure cycle stores are constructed prior to the first occupation of any of the units.
- 6.16 The recommendation has had regard to the recently adopted Ross-on-Wye Town Plan, and it is considered that the proposal is consistent with the aims of the Plan. In particular, the refurbishment of a building within the Conservation Area and the contributions to improving highway safety and sport and recreation provision are positive aspects of the application that accord with the Plan. The Ross Rapid Townscape Assessment, prepared as part of the evidence base for the Local Development Framework has also been considered. Whilst it suggests that there have been some poor examples of modern infill development in this part of the Conservation Area and that there are limited opportunities for new development, it does not outweigh the detailed consideration of site specific proposals, or outweigh an assessment of these against the requirements of PPS5 and Policy HBA6.
- 6.16 The draft Heads of Terms (Appendix 1) includes a contribution towards sustainable transport improvements in the locality, which if permission were granted, would help secure the installation of a formal pedestrian crossing point at a position to be agreed on Walford Road. It also makes provision for contributions towards play space and sports facilities and the improvement of educational facilities within the vicinity of the application site. These contributions are in accordance with the adopted Supplementary Planning Document: Planning Obligations and are agreed as appropriate by the relevant service areas.

6.18 In conclusion it is considered that the revised proposal, whilst attracting a similar and significant level of objections, responds positively to the reasons for refusing the previous scheme. Its detailed design has been made more traditional in approach and the scale and massing of the two storey has been reduced. The retention and refurbishment of the existing dwelling respond positively to comments made about its importance in the streetscene and this results in an overall reduction in the visual impact of the proposal. Further attention has been given to the relationship of the development to neighbouring properties and this has also reduced the extent of any overlooking and overbearing effects. Accordingly the planning application is recommended for approval.

RECOMMENDATION

That subject to no further objections raising material planning considerations by the end of the consultation period, the officers named in the scheme of delegation be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers:

1. **A01 Time limit for commencement (full permission)**
2. **B03 Amended plans**
3. **B07 Section 106 Agreement**
4. **C01 Samples of external materials**
5. **H03 Visibility splays**
6. **H02 Single access - footway**
7. **H06 Vehicular access construction**
8. **H08 Access closure**
9. **H13 Access, turning area and parking**
10. **H21 Wheel washing**
11. **H27 Parking for site operatives**
12. **F16 No new windows in specified elevation**
13. **F17 Obscure glazing to windows**
14. **G02 Retention of trees and hedgerows**
15. **G04 Protection of trees/hedgerows that are to be retained**
16. **G10 Landscaping scheme**
17. **G11 Landscaping scheme - implementation**

INFORMATIVES:

1. **HN01 Mud on highway**

Further information on the subject of this report is available from Mr S Withers on 01432 260612

2. **HN04 Private apparatus within highway**
3. **HN05 Works within the highway**
4. **HN03 Access via public right of way**
5. **HN26 Travel Plans**
6. **N15 Reason(s) for the Grant of PP/LBC/CAC**

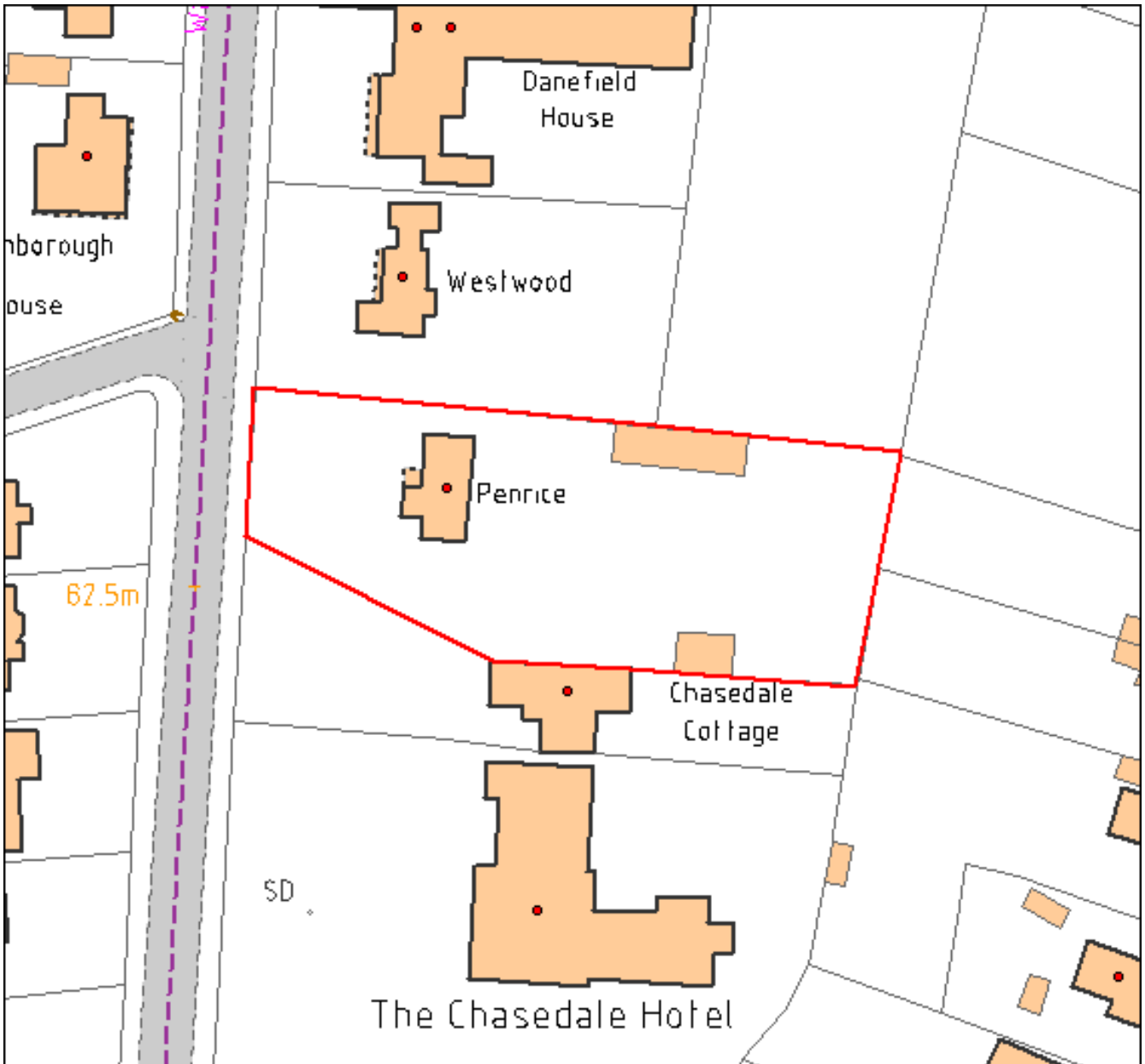
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/110216/F

SITE ADDRESS : PENRICE, WALFORD ROAD, ROSS ON WYE, HR9 5PQ

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DRAFT HEADS OF TERMS

PROPOSED PLANNING OBLIGATION AGREEMENT

Section 106 Town and Country Planning Act 1990

Planning Application – DMS/102061/F

This Heads of Terms has been assessed against the adopted Supplementary Planning Document on Planning Obligations dated 1st April 2008.

Retention of existing dwelling (Penrice) and erection of 8 two and three bedroom dwellings

At Penrice, Walford Road, Ross-on-Wye, Herefordshire, HR9 5PQ

- 1 The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £21, 528 to provide enhanced educational infrastructure (at Ashfield Park, St Josephs & John Kyrle High school. The sum shall be paid on or before the commencement of the development, and may be pooled with other contributions if appropriate.
- 2 The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £21,626 to provide towards a controlled pedestrian crossing at Archenfield Road, Walford Road and/or improvements to crossings at junctions with Walford Road and Kent Avenue, Sussex Avenue and Alton Street and passenger waiting facilities improvements required at Tudorville.
- 3 The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £2,372 in lieu of such facilities within the vicinity of the development including Dean Hill, Beech Close, Rope Walk, Tudorville, Walford Road and Wilton Road play areas and £5,166 for sports provision (contribution based around the requirements of policy H19 and RST4 of the UDP and Sport England Sports Facilities Calculator respectively) towards existing sports facilities at Ross Swimming Pool and Ross Sports Centre. The money shall be used by Herefordshire Council for the provision of to provide enhanced formal or informal recreational or public open space.
- 4 In the event that Herefordshire Council does not for any reason use the sums in paragraphs 1, 2, 3, 4, 5, 6 and 7 above, for the purposes specified in the agreement within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
- 5 The sums referred to in paragraphs 1, 2, 3 and 4 above shall be linked to an appropriate index or indices selected by the Council with the intention that such sums will be adjusted according to any percentage increase in prices occurring between the date of the Section 106 Agreement and the date the sums are paid to the Council.
- 6 The developer covenants with Herefordshire Council to pay a surcharge of 2% of the total sum detailed in this Heads of Terms, as a contribution towards the cost of monitoring and enforcing the Section 106 Agreement. The sum shall be paid on or before the commencement of the development.
- 7 The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

Date: 21/3/2011

Further information on the subject of this report is available from Mr S Withers on 01432 260612