

10 DCSE2004/0279/F - PROPOSED CHANGE OF USE OF FIRST FLOOR OFFICE INTO SELF-CONTAINED UNIT OF ACCOMMODATION (RETROSPECTIVE) AT THE STUDIO, OLD GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5JG

For: Mr D Nicholls per Mr A Powell, Yew Tree Cottage, Brinkley Hill, Brockhampton, Herefordshire HR1 4SJ

**Date Received: 26th January 2004 Ward: Ross-on-Wye East Grid Ref: 60091, 24021
Expiry Date: 22nd March 2004**

Local Members: Councillor Mrs A E Gray and Cllr Mrs C J Davis

1. Site Description and Proposal

- 1.1 The application property is a small two-storey building and forecourt situated on the north side of Old Gloucester Road. The property has previously been used, it is understood, as offices and garaging in connexion with a contractor's business. The site adjoins the rear of shops and other commercial premises in Gloucester Road. Immediately next to The Studio are commercial premises used for storage/depot purposes. On the opposite side of Old Gloucester Road are houses, a telephone exchange and vehicle repair workshop.
- 1.2 The first floor of the building has been used as residential accommodation for several years however and the ground floor for incidental storage. The current application is for permission to continue this use. Internally the main change proposed is the provision of a shower unit and externally new handrails would be installed on the steps which lead to the flat's entrance door. The upper floor is about 31m² in floor area. There would be a separate w.c./shower room and the kitchen would be partially separated from the remaining living and sleeping area.

2. Policies

2.1 South Herefordshire District Local Plan

Policy ED4	Safeguarding Existing Employment Premises
Policy GD1	General Development Criteria
(Part III) 10	Alternative Uses of Employment Land

3. Planning History

- 3.1 There have not been any recent applications relating to this property.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection.
- 4.3 Head of Environmental Health confirms that he has no objections provided the downstairs garage remains in the ownership/use of the first floor bedsit.
- 4.4 The Chief Conservation Officer does not object to the proposal from an architectural point of view.

5. Representations

- 5.1 The applicant's agent makes the following submission:
- (i) the applicant has recently taken over responsibility for this building and was unaware that planning permission had not been applied for
 - (ii) Council tax has been collected by the Council since July 2001
 - (iii) the building is of traditional construction with painted rendered walls and fibre-cement slate roof
 - (iv) externally will remain the same except for replacement of handrail to stairs to comply with building Regulations
 - (v) internally bedsit will be upgraded by fitting a new kitchen and enlargement of w.c. to fit a shower tray
 - (vi) off-road parking would be provided in the ground floor garages.
- 5.2 Town Council has no objections to the proposal.
- 5.3 Two letters have been received stating that the building is unsuitable for residential accommodation, in summary, for the following reasons:
- (i) close relationship of access to this building to main road and service road for supermarkets, banks, JD Weatherspoons etc - consequently in use on 24 hour basis by very large lorries,
 - (ii) no reference on application to parking, which is at a premium in Old Gloucester Road due to lack of on street parking - this will be compounded if ground floor garages are let separately
 - (iii) Ross has more than sufficient low cost rental accommodation but lacks small business units which provide employment possibilities
 - (iv) premises were built for commercial use and structure is not suitable for habitation.
- 5.4. One other letter supports the proposal for the following reasons:
- (i) it appears from all the estate agents in Ross on Wye that there is a shortage of small, flat/starter home-type properties for rent and sale within the town
 - (ii) for the town to thrive it needs an abundance of low-cost properties, affordable to the younger generations
 - (iii) Old Gloucester Road is primarily residential anyway
 - (iv) the road is relatively wide, uncluttered, with easy access for emergency vehicles/reasonably sized commercial vehicles/cars
 - (v) we can see no reason why the property shouldn't be used either domestically or commercially.

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

6. Officers Appraisal

- 6.1 The bedsit is small but would contain all the basic facilities for residential accommodation. In addition there is space on the ground floor for domestic storage and garaging a car(s), although there is no direct access between the two floors of the building. The applicant also confirms that there is a forecourt sufficient for a car to park. It does adjoin the service road used by JD Weatherspoons and other commercial premises and no doubt there would be some noise and disturbance resulting from HGVs manoeuvring along the narrow service access. Nevertheless it is considered that the level of use of the service area, particularly late at night, would not be so intensive that the amenities of the occupiers of this bedsit would be significantly harmed. Other nearby commercial uses and activities, on the evidence available, seem to co-exist with the residential properties in Old Gloucester Road without serious conflict arising. In these circumstances it is considered that the living conditions experienced by the occupiers of this flat would be acceptable.
- 6.2 Policy ED4 seeks to retain commercial premises in Ross on Wye unless there are net environmental and community benefits from development for residential purposes. In this case the lawful use (storage and offices or depot) is unlikely to generate significant noise or pollution to harm the amenity of residential occupiers on the opposite side of the road. Nor would traffic generation add significantly to traffic problems along Old Gloucester Road. Nevertheless this is a small building which is no longer needed for the applicant's business. Residential use has been established for some years, with the building providing useful extra accommodation. There is no certainty that an alternative commercial user could be found. It is considered therefore that there are grounds for making an exception in this case rather than applying the policy strictly with the corollary of enforcement action to ensure cessation of residential use.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 The ground floor of the property known as The Studio shall not be used for any purpose except for garaging and other purposes incidental to the enjoyment of the first floor flat.**

Reason: To define the terms of the permission and to ensure acceptable living conditions.

- 2. Within 2 months of the date of this permission details of the handrails shall be submitted for approval in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To protect the visual amenities of the area.

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.