

## **8 DCSE2004/1421/F - REMOVAL OF EXISTING KITCHEN EXTRACT DUCT AND INSTALLATION OF 2 NO. NEW DUCTS, THE MAIL ROOMS, GLOUCESTER ROAD, ROSS-ON-WYE**

**For: J.D. Wetherspoon Plc per Murdoch Bowers Ltd,  
Gemini House, 180/182 Bermondsey Street, London,  
SE1 3TQ**

**Date Received: 20th April 2004    Ward: Ross-on-Wye East    Grid Ref: 60062, 24062  
Expiry Date: 15th June 2004**

Local Members: Councillors Mrs. C.J. Davis and Mrs. A.E. Gray.

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

- 1.1 This site is located in the centre of Ross-on-Wye within the designated Conservation Area. The property in question is a bar/restaurant which forms part of a row of buildings which front onto Gloucester Road. The building is fairly large and extends outwards at the back. At the side of the building there is an existing kitchen extract duct made of metal and which is fixed to the side of the building.
- 1.2 This application is to remove the existing galvanised steel duct and replace it with two new galvanised steel ducts which are more appropriate for the requirements of the building.

### **2. Policies**

#### **2.1 Planning Policy Guidance**

PPG.1            -        General Policies and Principles

#### **2.2 Hereford and Worcester County Structure Plan**

Policy CTC.1    -        Areas of Outstanding Natural Beauty  
Policy CTC.9    -        Development Requirements  
Policy CTC.15   -        Conservation Areas

#### **2.3 South Herefordshire District Local Plan**

Policy GD.1     -        General Development Criteria  
Policy C.5       -        Development within Area of Outstanding Natural Beauty  
Policy C.23     -        New Development affecting Conservation Areas  
Policy RT.1     -        Ross-on-Wye Town Centre  
Policy Ross-on-Wye 16 – Conservation Areas

#### **2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

Policy S.2       -        Development  
Policy S.5       -        Town Centres and Retail

Policy DR.1	-	Design
Policy DR.4	-	Environment
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy HBA.6	-	New Development within Conservation Areas
Policy TCR.1	-	Central Shopping and Commercial Areas

### 3. Planning History

3.1	SE2000/0486/F	Traditional ale, wine and food bar, change of use from a former post office	-	Planning Permission 05.07.00
	SE2000/0487/F	Traditional ale, wine and food bar, change of use of former post office	-	Planning Permission 05.07.00
	SE2000/2223/A	Fascia signs and projecting sign	-	Advertisement Consent 11.12.00
	SE2000/2384/F	Alterations to convert former post office to a traditional ale, wine and food bar, with extension to form a new conservatory	-	Planning Permission 11.12.00

### 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 objections.

4.3 The Chief Conservation Officer has no objections.

4.4 The Head of Environmental Health has no objections and suggests that any approval includes a condition requiring details of the proposed system to be submitted in order to protect the amenities of neighbours as regards noise and odour emissions.

### 5. Representations

5.1 The Town Council have no objections.

5.2 One letter of objection has been received from Mr. C. & Mrs. J. Benwell, Creature Comforts, Warwick House, Gloucester Road, Ross-on-Wye, HR9 5BS

The main points being:-

- the smell and noise from the single duct prohibits the objectors from using the flat above their premises and from opening windows and doors in the shop during the day. The proposed two vents will make matters worse

- no parking facilities at the Mail Rooms and are concerned that contractors will park their vehicles in the objectors' and neighbours' private car parks and restrict access to rear of properties.

The full text of this letter 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 main issues relate to the visual appearance of the proposed development, its effect on its setting and the Conservation Area, the requirements of the premises to have a system that works properly and also the effect on the residential amenities of the occupants of the nearby residential and commercial properties. The main policies in the Local Plan which directly relate to the proposal are GD.1, RT.1, C.23 and Ross-on-Wye 16.
- 6.2 From a visual point of view the proposed replacement of the existing metal duct with two slightly smaller ones will have no adverse impact on the surrounding area. The proposed development is tucked away near to the rear of the premises where it is not prominent from a visual point of view. Obviously it can be seen by the immediate neighbours but it will not have any adverse visual impact on them. Nor will it have any adverse effect on the Conservation Area.
- 6.3 The objectors are particularly concerned that the residential amenities of their upstairs flat will be adversely affected by noise and smells from the two new ducts. The Head of Environmental Health received a copy of the objectors' letter. It is considered that the new ducts will not adversely affect the residential amenities of the occupiers of the adjacent flat and shop. A condition can be imposed with respect to the noise levels and odours to ensure that the residential amenities are protected. Further to the rear of the applicant's premises are some existing fans which make a certain amount of noise and which appear to drown out any noise from the existing duct. Also the top of the proposed ducts are fairly high up which should carry any smells away from the neighbouring properties.
- 6.4 The objectors also refer to potential parking problems that could occur when the contractors come to install the new apparatus. However any problems which may or may not occur would only be temporary and are not considered to be sufficient to refuse the grant of planning permission.
- 6.5 The proposed development is therefore considered to be acceptable and in accordance with planning policies and in particular those referred to in Section 6.1.

## **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. A07 (Development in accordance with approved plans )**

**Reason:** To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3. Before any work commences on site full details of the proposed extraction systems, specifying the provisions to be made for the control of any noise and odour emanating from the said systems, shall first be submitted to and be subject to the prior written approval of the local planning authority. The agreed systems shall be carried out in accordance with the approved details.**

**Reason:** To ensure that the residential amenities of the occupants of the nearby properties are not adversely affected by noise or odour emissions.

**Informative(s):**

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

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.