

**11a DCSE2004/1789/F - ERECTION OF THREE STOREY SHELTERED ACCOMMODATION, FORMER ALTON COURT BREWERY, STATION STREET, ROSS-ON-WYE, HEREFORDSHIRE**

**11b DCSE2004/1790/C - DEMOLITION WORKS TO ACCOMMODATE CONSTRUCTION OF RETIREMENT FLATS, FORMER ALTON COURT BREWERY, STATION STREET, ROSS-ON-WYE, HEREFORDSHIRE**

**For: M.F. Freeman Ltd. per Blencowe Associates, Old Parish Barn, Sandford St Martin, Chipping Norton, Oxfordshire, OX7 7AG**

**Date Received: 3rd June, 2004      Ward: Ross-on-Wye East      Grid Ref: 60123, 24317**

**Expiry Date: 29th July, 2004**

Local Member:    Councillor Mrs. C.J. Davis  
                          Councillor Mrs. A.E. Gray

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

- 1.1 The site is towards the northern edge of the town centre and fronts Station Street. It is roughly square in shape with an area of some 0.29ha. The current use of the land is for car parking which has its access from Station Street, along which is a high wall. In the north east corner is a large single storey building. There is other land within the control of the applicants:- three houses fronting Station Street and a link to Millpond Street. There is a mixture of development both in terms of its use and architectural style in the vicinity.
- 1.2 Application DCSE2004/1789/F proposes the redevelopment of the site to provide sheltered housing. This would be in the form of a 'T' shaped three storey block fronting Station Street. It would provide 42 units - 33 1-bed flats, 8 2-bed flats and warden's accommodation. There would be a vehicular access from Station Street, through an archway, with 14 car parking spaces. The remainder of the site would be laid out as landscaped gardens. Application DCSE2004/1790/C proposes the demolition of the large single storey building in the north east corner.
- 1.3 The site is within the Ross-on-Wye Conservation Area and the Area of Outstanding Natural Beauty.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPG.1	-	General Policy and Principles
PPG.3	-	Housing
PPG.13	-	Transport
PPG.15	-	Planning and the Historic Environment

**2.2 Hereford and Worcester County Structure Plan**

- Policy H.2C - Low-cost Housing
- Policy CTC.1 - Development in Areas of Outstanding Natural Beauty
- Policy CTC.7 - Development and Features of Historic and Architectural Importance
- Policy CTC.15 - Preservation, Enhancement and Extension of Conservation Areas

**2.3 South Herefordshire District Local Plan**

- Policy GD.1 - General Development Criteria
- Policy C.5 - Development in Area of Outstanding Natural Beauty
- Policy C.23 - New Development affecting Conservation Areas
- Policy C.24 - Demolition in Conservation Areas
- Policy C.40 - Provision of Essential Services
- Policy C.44 - Flooding
- Policy SH.12 - Cross sub-sidisation schemes
- Policy SH.14 - Siting and Design of Buildings
- Policy SH.15 - Criteria for New Housing Schemes
- Policy 5 - Housing in Built-up Areas
- Policy 16 - Conservation Areas
- Policy C.23 - Redevelopment of Sites

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

- Policy DR.1 - Design
- Policy DR.2 - Land Use and Activity
- Policy DR.3 - Movement
- Policy DR.4 - Environment
- Policy DR.7 - Flood Risk
- Policy H.2 - Housing Land Allocations
- Policy H.9 - Affordable Housing
- Policy H.13 - Sustainable Residential Design
- Policy H.16 - Car Parking
- Policy LA.1 - Area of Outstanding Natural Beauty
- Policy HBA.6 - New Development
- Policy CF.2 - Foul Drainage

**3. Planning History****3.1** The following are relevant to this application:

- |                 |   |   |                    |
|-----------------|---|---|--------------------|
| SH891058PO      | Redevelopment/refurbishment to form 30 sheltered flats, 1 warden, 17 apartments, 7 shops, 1 flat and 1 dwelling | - | Approved 04.10.89  |
| SH891059LE      | Demolition of buildings   | - | Approved 04.10.89  |
| DCSE2003/2242/F | Proposed Retirement Homes   | - | Withdrawn 22.10.03 |
| DCSE2003/2245/C | Demolition works to accommodate construction of retirement homes.   | - | Withdrawn 22.10.03 |

DCSE2003/3862/F	Three storey sheltered accommodation.	-	Withdrawn 23.03.04
DCSE2003/3863/C	Demolition works to accommodate construction of retirement flats.	-	Withdrawn 04.05.04
DCSE2004/2315/F	Erection of three storey sheltered accommodation	-	Current – Not determined
DCSE2004/2422/F	Residential development consisting of mixed scheme containing 22 units.	-	Current – Not determined

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 The Environment Agency has no objections subject to conditions.
- 4.2 Welsh Water have no objections subject to conditions.
- 4.3 English Heritage make no comment.

##### Internal Council Advice

- 4.4 Head of Engineering and Transportation has no objection subject to conditions.
- 4.5 Head of Environmental Health has no objections subject to conditions.
- 4.6 The Chief Conservation Officer has no objection subject to conditions.

#### **5. Representations**

- 5.1 The applicants' agent has submitted a number of letters in support. These refer to the policy context, the requirement for affordable housing and the constraints on the development of the site.

- 5.2 Ross-on-Wye Town Council comment:

"The Committee were concerned that until the infrastructure in that area of town is addressed this development would overload the current systems and exacerbate the flooding problems.

Also it is not clear how many units are to be developed. In the accompanying letter the first paragraph quotes 41 units and then the letter goes on to talk about the development of 21 units. Two drawings show different proposed layouts with one showing houses being developed immediately abutting the buildings in Brookend Street and another showing the area to be dedicated car parking spaces."

- 5.3 Representations have been received from Ross-on-Wye and District Civic Society and R. Lane, 2 Millpond Street. The Civic Society observe that it would be regrettable if affordable housing were not included. R. Lane comments that a previously indicated

sub-station is now not shown, the sewer outlet from his property is not shown and there is no information as to how the boundary walls are to be established.

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 main issues in the determination of the application are the principle of the development, the provision of affordable housing, the design and impact on the Conservation Area, the access and car parking, the impact on adjoining property and service/infrastructure issues.
- 6.2 The site has remained undeveloped for many years. Although the high wall to Station Street does act as a screen the site makes no positive contribution to the town centre, either in its use or appearance. In 1989 outline permission was granted for redevelopment, although the site was larger, to provide a mixed development of shops and housing. This has expired. The Local Plan identifies the site as "housing land with existing planning permission" and Policy 23 suggests that the site is "particularly suited for a mixed development of retail, commercial and recreational uses with a small element of residential. As this did not result in development the position was reviewed under the work on the Unitary Development Plan. As a consequence the UDP identifies the site purely for housing, and Policy H.2 suggests a site capacity of 30 dwellings. Having regard to the policy context it is considered that in principle a residential only scheme is acceptable.
- 6.3 With regard to affordable housing the applicants' agent suggests that it is not appropriate to seek such provision (the letter provides the reasoning). In the 1989 scheme there was no such provision. The Local Plan, in Policy SH.12, suggests that for sites in excess of 25 dwellings there should be an element of affordable housing. The proposal on the face of it, which is for 42 units, should therefore include affordable housing. However in examining the suitability of a site government advice (Circular 06/98 – Planning and Affordable Housing) lists criteria to consider, being the site size, suitability and economics of provision and the need to achieve a successful housing development. In particular the Circular advises that housing sites should incorporate a mix of housing types. The applicants argue that their proposal should be assessed on the basis of the suitability of the site for such a housing scheme and not specifically on the basis of their proposal which is a form of development to which different standards apply, for example, with regard to car parking. On this basis, i.e. to establish the development capacity of the site they have submitted an application for 22 dwellings, which is below the 25 dwelling threshold in the Local Plan. The case made by the applicants that there is a level playing field in the assessment of the housing capacity of a site has been supported at appeal. The applicants general housing scheme has been examined, and whilst the application is yet to be determined it is considered unlikely that the 25 dwelling threshold could be achieved. The approved scheme in 1989 did involve a considerably higher number of housing but that site was larger, the constraints in development are now evident and in terms of its design, which was four storey, such an approach would no longer be considered appropriate.
- 6.4 The site is identified in the Revised Unitary Development Plan as a housing site (Policy H.2) with the estimated capacity being 30, of which 11 would be expected to be affordable housing. There are no substantive objections to this policy and it can therefore at this time be given some weight. There are objections to the other UDP

affordable housing policy. However, as discussed above, there are doubts as to whether a mixed housing scheme of 30 units can now be achieved on this site.

- 6.5 In conclusion on this issue it is considered that having regard to the policy context it would be difficult to require affordable housing on this site. However the applicants have stated that without prejudice they are willing to consider the principle of an off-site contribution to affordable housing. This is to be discussed further.
- 6.6 With regard to design, the proposal is for a substantial three storey building. The most critical elevation is that to Station Street, with the existing gap entirely filled by the building. It will be positioned directly on the rear of the footway with the long elevation broken up by projecting gables. The archway to provide access is necessarily large but this is recessed behind the façade. The building will also be seen from other viewpoints but will partly be viewed against the backdrop of The Maltings which is opposite. Overall it is considered that the design is acceptable and despite being large the building is not out of scale. The exact choice of materials and finishes together with the detailing of elements such as windows, cills and eaves will be important. The development will enhance both the Conservation Area and the Area of Outstanding Natural Beauty.
- 6.7 The access from Station Street can be constructed to the appropriate standard and will enable access for service vehicles. Fourteen car parking spaces are shown which as the development is for sheltered housing is acceptable.
- 6.8 With regard to the impact on the adjoining property, there are a number of dwellings adjoining. Clearly any development on this site will have an impact on the amenities of these dwellings. However the design is such that there should not be an unacceptable impact from overshadowing or overlooking. Conditions can be applied with regard to boundary treatment and the position of any sub-station.
- 6.9 The site is partly on land that is within the indicative floodplain. The applicants have previously provided a Flood Risk Assessment and the Environment Agency raise no objection. With regard to drainage Welsh Water advise that a public sewer crosses the site and this must be protected. The application proposes this to be diverted. In terms of the impact on the capacity of the foul sewerage system Welsh Water have no objection.
- 6.10 The demolition of the single storey stone building is regrettable as it is an attractive structure. However, on balance, its demolition with the subsequent redevelopment of the site will result in an overall townscape improvement and is acceptable.
- 6.11 This is an important site within the centre of Ross-on-Wye, the redevelopment of which can only result in a benefit to the town.

## RECOMMENDATION

**With respect to DCSE2004/1789/F:**

- That 1) the County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of The Town and Country Planning Act 1990 to deal with a contribution to the provision off-site of affordable housing in Ross-on-Wye and any additional matters and terms as she considers appropriate**

- 2) upon completion of the aforementioned planning obligation that the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any other conditions considered appropriate:

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. B01 (Samples of external materials )

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

4. C02 (Approval of details )

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5. D02 (Archaeological survey and recording )

Reason: A building of archaeological/historic/architectural significance will be affected by the proposed development. To allow for recording of the building during or prior to development. The brief will inform the scope of the recording action.

6. G01 (Details of boundary treatments )

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

7. G04 (Landscaping scheme (general) )

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

8. G05 (Implementation of landscaping scheme (general) )

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

9. H03 (Visibility splays )

Reason: In the interests of highway safety.

10. H05 (Access gates )

Reason: In the interests of highway safety.

11. H13 (Access, turning area and parking )

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

**12. H21 (Wheel washing )**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.**

**13. H27 (Parking for site operatives )**

**Reason: To prevent indiscriminate parking in the interests of highway safety.**

**14. H29 (Secure cycle parking provision )**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**15. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:**

- a) a 'desk study' report documenting the history of the site and its surrounding area and likelihood of contaminant extent and type**
- b) if the study confirms the possibility of contamination, a site investigation report documenting the ground conditions of the site, incorporating a "conceptual model" of all the potential pollutant linkages and an assessment of risk to identified receptors**
- c) if risk assessment identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of an dproposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.**

**Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.**

**16. The Remediation Scheme, as approved pursuant to condition no. 15 above, shall be fully implemented before the development is first occupied. Any variation to the scheme shall be agreed in writing with the local planning authority in advance of works being undertaken. On completion of the remediation scheme the developer shall provide written confirmation that all works were completed in accordance with the agreed details.**

**Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority.**

**17. F16 (Restriction of hours during construction )**

**Reason: To protect the amenity of local residents.**

18. Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

19. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

20. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

21. No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been agreed in writing by the local planning authority in liaison with Dwr Cymru Welsh Water's Network Development Consultant.

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

22. 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.

23. Prior to the commencement of development the siting and details of any electricity sub-station shall be submitted to and be approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details.

Reason: In order to protect the amenities of adjoining property.

**Informatives:**

1. HN05 - Works within the highway
2. HN09 - Drainage details for Section 38
3. HN10 - No drainage to discharge to highway
4. N15 - Reason(s) for the Grant of Planning Permission



With respect to DCSE2004/1790/C:

That Conservation Area Consent be granted subject to the following condition:

1. C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Decision: .....

Notes: .....

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### Background Papers

Internal departmental consultation replies.