

13 DCSE2004/2733/F - DEMOLITION OF EXISTING PETROL FILLING STATION AND ERECTION OF 18 NO. RESIDENTIAL APARTMENT DWELLINGS AT PETROL FILLING STATION (FORMER), GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5NA**For: First London Investment Group Ltd per Hook Mason, 11 Castle Street, Hereford HR1 2NL****Date Received: 23rd July, 2004 Ward: Ross-on-Wye East Grid Ref: 60729, 24175****Expiry Date: 17th September, 2004**

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

1. Site Description and Proposal

- 1.1 The application site, the petrol filling station and car sales lot that has recently closed, is located towards the eastern end of Gloucester Road, Ross-on-Wye. To the east is the former Ashburton Inn which has now been converted into residential accommodation and beyond is the Ashburton Industrial Estate. Other nearby properties in Gloucester Road and Weston Grove to the north of the application site are residential.
- 1.2 It is proposed to erect three blocks of flats on this site. Two blocks would be sited in the rear half of the plot, the third would be sited close to the front and the boundary with the former Inn. This aims to relate the blocks to the adjoining dwellings, with Rowancroft positioned near the rear of its plot, the former Inn close to Gloucester Road. The western block would be 2-storeyed, the central block 3-storeyed, also with a hipped roof and the eastern block 3-storeyed but with a gabled roof. 18 apartments would be provided with 1 or 2 bedrooms. The external materials would be brick, render and plain clay tiles. 27 parking spaces would be provided mainly to the front of the blocks but with 11 spaces to the rear. Communal amenity areas are proposed to the rear of the apartment blocks.

2. Policies**2.1 Planning Policy Guidance**

PPG3 - Housing

2.2 Hereford and Worcester County Structure Plan

Policy H16 - Location of Growth
Policy CTC9 - Development Requirements
Policy CTC18 - Development in Urban Areas

2.3 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria
Policy SH14 - Siting and Design of Buildings

Policy SH15	-	Criteria for New Housing Schemes
Policy R3A	-	Development and Open Space Targets
Policy SH9	-	Balance of Housing Types
Policy T3	-	Highway Safety Requirements
Policy T4	-	Highway and Car Parking Standards
Policy 3	-	Infill Sites for Housing
Policy 4	-	Primary Residential Areas

2.4 Herefordshire Unitary Development Plan – Revised Deposit Draft

Policy H1	-	Established Residential Area
Policy H2	-	Housing Land Allocations
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open Space Requirements
Policy RST3	-	Standards for Outdoor Playing and Public Open Space

3. Planning History

3.1	SH930690PF	New petrol tanks, pumps, islands and canopy	-	Approved 28.07.93
	SE2001/2584/F	New underground storage tanks.	-	Approved 28.01.02

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water's representations are awaited.

Internal Council Advice

4.2 Head of Engineering and Transport recommends that conditions be imposed regarding the access and off-street parking.

4.3 Head of Environmental Health recommends that a contaminated land investigation be undertaken with appropriate mitigation if required. It is recommended that the underground petrol tanks be removed.

5. Representations

5.1 The Town Council's comments are awaited.

5.2 7 letters of objection have been received one of which is supported by a petition with 20 signatures. The following grounds are cited:

- (1) A major concern is that the proposed development would be totally out of character with the area and spoil it completely - adjoining houses are lower with a lower terrace to rear, whereas proposed would be tallest residential buildings in the area, which is one of oldest, established residential streets in Ross.

- (1) Size, height, appearance and density are all considered unacceptable and so is car park at front with only a low boundary wall. Less would be better for all.
- (2) A second, strongly voiced objection is that there would be loss of privacy as too close to boundary fence (Weston Grove) with overlooking of gardens and full view inside houses. Privacy is a right. A 2-storey scheme would allow trees to be planted which would secure some measure of privacy, which has been enjoyed for at least 40 years.
- (3) Significant loss of amenity already as shop at petrol filling station has closed - this was very important to elderly as allowed shopping locally for essential goods.
- (4) Obscure views of Chase Woods, Tank Meadow and surrounding area.
- (5) Removal of large fir tree would be a great loss as haven for birds - more trees/landscaping needed especially against boundary (Weston Grove) and to soften impact along Gloucester Road.
- (6) Disproportionate increase in number of local residents would result in significant increase in traffic flow and parking problems along Gloucester Road and in crime. Gloucester Road is very busy especially at junction with Alton Road and Camp Road, is dangerous with cars parked both sides and speeding vehicles so that exiting properties safely is difficult at times.
- (7) Flooding in this area is frequent due to lack of drainage.
- (8) Other concerns mentioned include devaluation of adjoining properties (very distressing); some neighbours have not been notified and gain rear access through the site and would like this to continue.

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 are considered to be firstly the effect on the visual amenities of the area and secondly the effect on the amenities of neighbours. On the first issue the principal consideration is whether the proposal is in keeping with the residential area in which it would be set. Along the section of Gloucester Road to the west which is within the Ross on Wye Conservation Area there are detached houses, well separated from each other and in a variety of styles. The proposed blocks would certainly be larger than these and much closer together. The former Inn however has a greater floor area. Although two blocks are 3-storeyed the development would not be dissimilar in height and scale at the western and eastern ends to Rowancroft and the former Inn, building up in the central part to a full 3-storeys. They are bulkier buildings but have been designed to reduce as far as possible this visual impact. In style they respect without copying nearby properties and the 3 individual designs reflect the diversity in this part of Gloucester Road. Thus, whilst not identical to the adjoining section of Gloucester Road the proposed apartment blocks are not so different as to be discordant and out of character.

- 6.2 The extensive car parking area at the front is not ideal but there is scope for planting along the frontage and attractive hard surfacing materials would be important. There is more opportunity for planting trees at the rear of the site. On balance then it is considered that there are not sufficient grounds to refuse permission on this issue.
- 6.3 Turning to the second issue the main concerns are whether there would be loss of privacy and whether the buildings would be overbearing. The rear of the blocks would be about 40m from the nearest house in Weston Grove. This is well above generally accepted standard, even allowing for the new buildings being 3 storeys. However the central block is just 10m from the boundary of properties in Weston Grove. This will result in overlooking of gardens and hence some loss of privacy. Nevertheless these are long gardens and any negative impact can be reduced in the longer term by tree planting. The relationship of the eastern block to the former Inn is more sensitive. The gap between these two buildings would be 5.5m which is considered to be at the margin of acceptability but windows directly facing windows in the former Inn from this distance are too close. The applicant's agent is preparing revisions to overcome this concern. Subject to this being achieved it is considered that they would not be a significant loss of amenity by neighbours. The loss of views is appreciated but in this case is not grounds to refuse permission.
- 6.4 Of the other matters raised the access and traffic implications have been carefully considered by the Head of Engineering and Transportation and are acceptable. It should be borne in mind that a petrol filling station would generate a considerable volume of traffic and that the number of accesses has been reduced to one. The closure of a local shop is no doubt an important loss but this site is too large for retail development to meet local needs.
- 6.5 Policy R.3A of the Local Plan requires an infants play area for schemes of more than 10 dwellings. There is space for a play area at the rear of the apartments and this provision can be ensured by a planning condition.

RECOMMENDATION

Subject to the receipt of suitably amended plans, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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 B01 (Samples of external materials)

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

3 G04 (Landscaping scheme (general))

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

4 G05 (Implementation of landscaping scheme (general))

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

5 G01 (Details of boundary treatments)

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

6 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.

7 H03 (Visibility splays)

Reason: In the interests of highway safety.

8 H14 (Turning and parking: change of use - domestic)

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

9 H21 (Wheel washing)

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

10 Before the occupation of any dwelling hereby approved, an infants play area shall be provided in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.

Reason: To ensure appropriate provision of amenity space and facilities.

11 Development approved by this planning permission shall not be commenced unless:

- a) A desk top study has been carried out which shall include the identification of previous site use, potential contaminants that might reasonably be expected given those uses and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected, and
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.
- c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment undertaken.

- d) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the local planning authority. This should be approved in writing by the local planning authority prior to that remediation being carried out on the site.

Reason: To ensure that the proposed site investigations and remediation will not cause pollution of the environment or harm to human health.

- 12 The development of the site should be carried out in accordance with the approved Method Statement.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health.

- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum(s) shall form part of the Method Statement.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health.

- 14 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and report shall also be detailed in the report.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed to an appropriate standard.

INFORMATIVES:

- 1 HN05 - Works within the highway
- 2 HN10 - No drainage to discharge to highway
- 3 HN19 - Disabled needs
- 4 N15 - Reason(s) for the Grant of Planning Permission.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

AREA SUB-COMMITTEE