

7 DCSE2005/0355/F - ERECTION OF 18 APARTMENTS AT THE CHASE HOTEL, GLOUCESTER ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5LH**For: Camonoe Estates Ltd per Pegasus Planning Group, 5 The Priory, Old London Road, Sutton Coldfield, B75 5SH****Date Received: 3rd February, 2005 Ward: Ross-on-Wye East Grid Ref: 60286, 23921****Expiry Date: 31st March, 2005**

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

1. Site Description and Proposal

- 1.1 Planning permission is sought to erect two, two-storey apartment block in the grounds of The Chase Hotel in Ross on Wye. The Hotel occupies a large site of about 6 ha situated close to the town centre. The main hotel building is located towards the west side of the site, with the access drive and parking area to the north and east and a formal garden immediately to the south. The main part of the site, east of the parking area, is parkland with scattered trees, a wider belt of trees along the southern and eastern boundaries of the site and a line of trees along the northern boundary. Two ponds and a stream lie close to the eastern boundary. Most of the trees are covered by a Tree Preservation Order. The hotel grounds are within a residential area and are within Ross on Wye Conservation Area.
- 1.2 The two blocks now proposed would be sited to the south and south-east of the main hotel building. They would be of irregular shape and in a style intended to match the original building that now forms the northern section of the hotel. Thus they would have rendered walls, hipped roofs with slates and white sliding sash-type windows. The Block (B) to the south-east of the hotel would only be two-storied except for one section where the existing ground level is significantly lower. Block A is adjacent to the more modern, 3-storey part of the hotel. Each of the 18 apartments would have 3 bedrooms.
- 1.3 Apart from formal communal gardens separating hotel and Block A and Blocks A and B the existing parkland setting would be maintained. No new car parking is proposed, as residents would use the existing hotel car park, although the hotel drive would be extended southwards to the new apartments.
- 1.4 The scheme originally submitted included a third 2-storey block of 6 more apartments. The size, siting and design of this block have not been the subject of discussion with officers and raise different problems to Blocks A and B. The applicant has agreed to delete this from the application. The erection of 2 blocks with 18 apartments in total therefore falls to be considered by the Committee. It is a revised proposal following refusal of planning application SE/2003/3240/F for the following reason:

"The proposed development would intrude into this small landscaped park and thereby erode its open character and the parkland setting of The Chase Hotel. The private open space is an important visual component of the Ross on Wye Conservation Area

and the development would consequently harm the character and appearance of the Conservation Area. The proposal conflicts therefore with Policies C30, C23, SH15, 3 & 5 (Part III) of the South Herefordshire District Local Plan.”

2. Policies

2.1 Department of the Environment

PPS1	Planning Policy and Principles
PPG3	Housing
PPG15	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	Area of Outstanding Natural Beauty
Policy CTC9	Development Criteria
Policy CTC15	Conservation Areas

2.3 South Herefordshire District Local Plan

Part 1

Policy C4	AONB Landscape Protection
Policy C5	Development within Areas of Outstanding Natural Beauty
Policy C17	Trees/Management
Policy C23	New Development Affecting Conservation Areas
Policy C30	Open Land in Settlements
Policy GD1	General Development Criteria
Policy TM1	General Tourism Provision

Part 3

Policy 2	New Housing Developments
Policy 3	Infill Sites for Housing
Policy 5	Housing in Built-up Areas
Policy 16	Conservation Area
Policy 20	Open Space

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy LA1	Areas of Outstanding Natural Beauty
Policy HBA6	New development within Conservation Areas
Policy HBA9	Protection of Open Areas and Green Spaces

3. Planning History

3.1	SH861345PO	Erection of 13 houses	Refused 18.02.87
	SH861355PO	Erection of sheltered housing (62 flats) and wardens house	Refused 18.02.87
	SH861356PO	New conservatory link, ballroom conference facilities, 24 suites, dining room and entrance	Permitted 18.02.87
	SH911084PF	Addition to restaurant	Permitted 01.08.91

SH950403PF	Change of use to staff accommodation	Refused 23.07.92
SH980237PF	14 Bedroom extension and retail Store	Refused 09.09.98
SE2001/2070/F	New offices	Withdrawn
SE2001/2145/F	Residential dwelling and garage	Withdrawn
SE2002/0008/F	Bedroom extension & leisure Complex	Permitted 6.3.02
SE2002/0522/F	Residential dwelling	Permitted 31.7.02
SE2002/0527/F	New Offices	Permitted 31.7.02
SE2002/3511/F	3 apartment buildings (24 apartments)	Withdrawn
SE2003/3240/F	2 apartment buildings (18 apartments)	Refused 16.12.03

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage does not wish to make any representations on this occasion.
- 4.2 Welsh Water's advice is awaited. It is understood that the problems of drainage have been discussed by the applicant with Welsh Water and that a scheme to overcome Welsh Water's concerns can be achieved.

Internal Council Advice

- 4.3 The Traffic Manager seeks further information regarding parking and servicing arrangements. Concerns have been raised regarding drainage and the implications for the Flood Alleviation Scheme.
- 4.4 The Conservation Manager points out that all the trees on the site are protected by an Area Tree Preservation Order (Order 25 (1969)). The site is of historical significance and has been added to the Council's Register of Historic Parks and Gardens. Serious concerns are raised regarding Block C but no objections to the principle of development indicated by blocks A and B. Site sections should be submitted. The apartment blocks A & B are quite tightly grouped around the hotel so that they do not intrude into the hotel grounds and do not conflict with any significant trees.
- 4.5 Head of Environmental Health recommends that conditions be imposed regarding the construction phase.

5. Representations

- 5.2 Town Council has no objections to the proposal.

5.3 34 letters have been received stongly objecting to the proposal. In summary the following reasons are given:

- (1) it is not considered that the proposal has overcome the reasons for refusal relating to the earlier scheme as nothing has changed;
- (2) the proposal conflicts with key policies of the Local Plan - policies C5, C23, C30, SH12, SH15, GD1 and 3, 4, & 20 of part 3 are all referred to, in particular on the basis of C30 (which is repeated in HBA9 of the UDP) the Council cannot grant permission;
- (3) it would intrude into landscaped park and thereby erode its character and the parkland setting of the Hotel;
- (4) this private open space is an important visual component of the Conservation Area - the loss of this private open space would seriously harm the visual appearance of the town centre and Conservation Area;
- (5) to allow this proposal would encourage further applications and it would soon become a housing estate;
- (6) there is no need for further housing; 300 new dwellings have been approved, sites at Tanyard Lane, Vine Tree Farm, Texaco filling station and Station Street are referred to and these apartments would be too expensive for young people;
- (7) it is not brownfield land;
- (8) buildings would be out of keeping and out of scale, being far too large, with a height up to 13m (for comparison there is only a 10 m drop across the parkland from hotel to ponds);
- (9) consequently would obscure views across this open space of wooded hills from Gloucester Road and views of the open space and ponds from adjoining residential areas, it would be an eyesore for those living opposite;
- (10) a beautiful area both visually and environmentally - important for character of town, tourist industry and heritage to keep green areas - only The Prospect remains of the town centre's other open spaces;
- (11) there is a great diversity of wildlife supported by the trees and ponds - this fragile habitat could easily be lost, is irreplaceable and should be protected at all costs - the list of fauna noted include a resident owl, woodpeckers, kingfishers, finches, ducks and heron; badgers including a sett, foxes and water voles and squirrels;
- (12) increased traffic would exacerbate difficulties and already too many traffic problems; would cause traffic chaos; large number of traffic changes on surrounding road are to be imposed;
- (13) insufficient on site parking and would result in more frequent parking on private land;
- (14) loss of privacy as would be overlooked from elevated position (Alton Street properties) and loss of light;
- (15) in relation to Block C dwellings would lose sunlight (only have single aspect), noise and access could be blocked during construction;
- (16) private path could be used as shortcut to town leading to loss of privacy and litter;
- (17) extra light pollution which will also harm character of Conservation Area;
- (18) noise pollution;
- (19) extra problems for sewerage system and land drainage - there are existing problems in Waterside;
- (20) no affordable housing is proposed;
- (21) in an AONB and only small scale development which is essential to meet local community needs and help support those communities should be permitted - proposal does not meet these criteria;
- (22) the hotel extension/leisure centre should not set a precedent for this proposal.

5.4 In addition a petition with 20 signatures has been received objecting to the proposal on the following grounds:

- (1) would entail destruction of the woodland and pond which borders the Chase Hotel and Waterside - a unique area which is habitat of many wildlife species;
- (2) drainage system in Waterside is very poor and residents have experienced problems - concerned at effect of proposal on existing system;
- (3) also concerned that 24 apartments would increase traffic; this is already a problem on both Gloucester and Alton Roads and can only be exacerbated.

5.5 13 letters of support including letters from the applicant and from The Chase Hotel have been received. In summary the following reasons are given:

- (1) great demand for such apartments - there are none of real quality in the town;
- (2) local estate agent confirms this accommodation is much needed;
- (3) will release larger family houses to meet other housing demand in the area;
- (4) ideally situated for older folk and those without cars - close to shops and other facilities therefore sustainable location;
- (5) good quality design and in harmony with oldest part of Hotel; sympathetic to surrounding area;
- (6) involves no environmental loss with very little impact on main paddock and will not interfere with views of Chase Hills from Gloucester road;
- (7) no adverse effect on residents even in Chaseside;
- (8) Hotel grounds provide little amenity except to those who overlook it;
- (9) Ross desperately needs new development (lots of empty shops; industrial units and offices) and will benefit trade of both hotel and other local businesses;
- (10) important to future of hotel which is a necessary facility to the town;
- (11) the Chase was offered to Council in late 30's when much larger but could not be afforded.

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 Chase Hotel is located within the settlement boundary of Ross on Wye but is outside of the defined residential area within the town. Policy 5 of SHDLP (Part 3) is therefore the appropriate policy. This states that within the built up area, and particularly the town centre, new housing development on small sites will generally be considered favourably unless the development:

- (ii) will be a loss of a local amenity area enjoyed by local people and visitors; or
- (iii) adversely affects the visual appearance and character of the town centre and particularly the Conservation Area; or
- (iv) conflicts with other policies contained within the plan.

Policy 20 of SHDLP (Part 3) states that 'Development on both public and private open space in the town, and particularly within the Conservation Area, which is valued for its visual amenity or recreational purposes, will not be permitted. The grounds of the Chase Hotel are considered to be particularly worthy of protection'. Policy C.23 also maintains that proposals for development within a Conservation Area must maintain visually important open space areas and must not adversely affect the setting and

character of the Conservation Area. Policy C30 also seeks to protect the visual amenity of open land which forms an intrinsic part of the character of a settlement.

Similar policies are included in the emerging UDP. The open area surrounding the hotel is designated as a protected open area under Policy HBA9 of the UDP. HBA9 states that proposals that would result in the loss of important open areas or green spaces, which contribute to the distinctive spatial character; form and pattern of a settlement or neighbourhood will not be permitted. The Policy then lists 8 criteria, which are highlighted to be elements of open spaces deemed particularly worthy of protection. The following criteria are considered to be of relevance to this application due to the site's character, amenity and location, where Plan Policy stipulates that protection is important to open areas which:

- (1) provide relief within an otherwise built-up frontage or within developments;
- (4) provide important views into or out of settlements and of attractive buildings and their settings, or of attractive landscapes;
- (5) provide an important amenity of value to the local community
- (6) represent a familiar or distinctive element within an attractive street scene;
- (7) represent an historic element within the origins or development of the settlement or area.

With regard to Conservation Areas Policy HBA6 states that development will not be permitted unless it preserves or enhances the Conservation Area's character or appearance and lists 9 criteria which address the suitability of a development proposal. Criterion 6 states that 'open spaces, topographical features, trees and other landscape features should contribute to the character or appearance of the area and where such features of importance already exist and make a contribution they should be retained'.

- 6.2 Open spaces, whether or not there is public access to them, form an important contribution to the quality of life. The character of settlements is made up of both buildings and the open spaces between them. It is a legitimate aim of the planning system to protect these spaces where it is considered that their loss would detract from that character. The key issue therefore is whether the proposed development would harm the visual amenity of this important open space and thereby harm the character and appearance of the Ross on Wye Conservation Area.
- 6.3 The policies referred to above do not seek to restrict all built development, rather to protect the amenity that the open space provides. Thus an extension to the hotel and leisure centre has been granted permission (2002) as were recently an office and dwelling. These were close to the hotel (to the south and west respectively) and would not intrude onto the more open, parkland parts of the site. Block A would in fact occupy much the same footprint as the leisure centre, although the latter with the extra bedrooms would have been a more extensive building joining on to the hotel. The apartment block would be much taller (the leisure centre was to have been single-storey) but lower than the nearest part of the hotel. In this location, partly screened by the hotel and existing planting, it is not considered that the apartment building would intrude unacceptably into the main part of the open space.
- 6.4 Block B would be forward (i.e. to the east) of the hotel partly on land intended as a car park for the leisure centre. Nevertheless it would be in the south-west corner of the parkland area and relate visually to the hotel and block A. As noted in paragraph 4.4 no significant trees would be removed and the building would be a good distance from the environmentally sensitive ponds and stream. Only a small proportion of the parkland would be lost. Views from Gloucester Road of the hills that form the

backdrop to the town would not be lost and views into the site would not be significantly affected as there is a thick belt of tall trees along the boundaries of the Hotel grounds. After careful and full consideration both English Heritage and the Conservation Manager concluded that buildings of the design and massing proposed would look appropriate in these locations and would not harm the amenity currently provided by this private open space. It is accepted that these are tall residential buildings but in this spacious setting against the backdrop of a wooded area and in this relationship to the Hotel building would not appear out of scale or incongruous. The current proposal differs from the earlier refused scheme (SE2003/3240/F) primarily in the location of the apartment blocks. In the latter they were positioned within the parkland area.

- 6.5 The concerns of residents regarding wildlife are appreciated but it seems unlikely that after the temporary disruption during construction the value of the area to wildlife would be reduced to any significant extent. As noted the buildings are close to the hotel and away from the ponds. No private gardens would be provided, the area of car parking would not be extended and any trees or shrubs removed could be replaced with additional planting undertaken.
- 6.6 The apartment block would be sited well away from the boundaries of the site (about 20 m at the nearest) and with the existing trees this would be sufficient to ensure the privacy and amenity of neighbours.
- 6.7 The overloading of sewerage and flooding from various brooks are known problems in Ross on Wye. The current proposal would not be acceptable if either of these problems would be exacerbated. Further consideration is being given do both issues and will be reported at the Committee Meeting.

RECOMMENDATION

That subject to being satisfied regarding foul and land drainage and car parking arrangements that 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. **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.

6. F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

Informative:

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

Decision:

Notes:

Background Papers

Internal departmental consultation replies.