

9 DCSE2005/4150/F - CONVERSION OF VACANT BUILDING TO TWO-BED RESIDENTIAL DWELLING AT BUILDING TO THE REAR OF 31 BROOKEND STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7EE

For: Woodfield Developments per Edge Design Workshop, Unit 2 Ruardean Works, Varnister Road, Nr Drybrook, Gloucester, GL17 9BH

**Date Received: 23rd December, 2005 Ward: Ross-on-Wye East Grid Ref: 60094, 24333
Expiry Date: 17th February, 2006**

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

1. Site Description and Proposal

- 1.1 31 Brookend Street is part of a terrace of 17th & 18th century buildings on the east side of Brookend Street and north of Station Street in Ross on Wye. The ground floors of these listed buildings are small shop units with ancillary storage or flats above. The application property comprises a two-storey rendered building at the rear of 31 Brookend Street, with a small single-storey extension and open area to the rear. The latter juts into the large cleared site soon to be developed by McCarthy and Stone for retirement flats. Access to the application property is through a covered passageway immediately to the north between 30 and 31 Brookend Street.
- 1.2 It is proposed to convert this building for residential use. As submitted the 3 existing openings in the front (north-east) elevation of the building would have windows inserted to light the kitchen (ground floor) and the 2 bedrooms on first floor. The living room which would occupy the single-storey part of the building would be lit by French windows and a new window (replacing a door) in the end elevation. A new rooflight would provide light and ventilation to the first floor bathroom. A small area at the eastern end of the application site would be cleared and fenced to provide a small rear garden.
- 1.3 The correct number of this property is not clear. According to the Ordnance Survey plan the property to the front of the application site is 31 Brookend Street. The occupier of that property gives her address as 32 Brookend Street, however, which also seems to be the postal address.

2. Policies

2.1 Planning Policy Guidance

PPG3	-	Housing
PPG15	-	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy CTC1	-	Area of Outstanding Natural Beauty
Policy CTC13	-	Buildings of Special Architectural or Historic Interest

Policy CTC14 - Criteria for the Conversion of Buildings in Rural Areas

2.3 South Herefordshire District Local Plan

Policy C5 - Development within AONB
Policy C23 - New Development affecting Conservation Areas
Policy C27A - Change of use of a Listed Building
Policy SH5 - Housing Land in Ross on Wye
GD1 - General Development Criteria
Policy 5 (Part 3) - Housing in built-up Areas
Policy 17 (Part 3) - Re-use of Existing Buildings

6.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H2 - Housing Land Allocations
Policy H14 - Re-Using Previously Development Land and Buildings
Policy HBA1 - Alterations and Extensions to Listed Buildings
Policy HBA3 - Change of Use of Listed Buildings
Policy HBA6 - New Development within Conservation Areas

3. Planning History

3.1 SE2004/1310/L Improvements to flat and shop. - Consent 1.6.04

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water recommends conditions regarding surface water drainage.

4.2 The Environment Agency's observations have not yet been received.

Internal Council Advice

4.3 The Traffic Manager notes that there is no car parking provision, however this is considered acceptable at this in-town location provided cycle parking accommodation can be provided and recommends that an appropriate condition be imposed.

4.4 The Conservation Manager does not wish to object from an architectural point of view. Conditions are recommended.

5. Representations

5.1 Town Council has no objections to the proposal.

5.2 The applicant's agent has submitted details of a technical note by consultant engineers assessing the impact of the development on the combined drainage network and Welsh Water's response. The note concludes that the surface water discharge to the public sewerage system will decrease by significantly more than the increase in foul flow discharge and therefore "offers betterment in terms of run-off into the public sewer network".

5.3 Two letters have been received objecting to or raising concerns regarding the proposal. In summary the reasons cited are as follows:

- (1) the proposal assumes the use of objector's property as the main access route - applicant does not own or have right of way over this land nor is it a public right of way. Land Registry file clearly shows within boundary of objector's property. Development is not therefore viable.
- (2) 3 of the 5 windows (kitchen and bedrooms) look directly onto garden at rear of 30 Brookend Street and will impair enjoyment of this land.
- (3) Proposed roof light may not be acceptable for grade II listed building.
- (4) Both sewerage and rainwater drains go directly under the application site and foresee problems if builders are not aware of this.
- (5) Actually behind 32 not 31 Brookend Street.

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 issue is the effect of the proposed development on the privacy of neighbours whilst in their garden. The front elevation of the building faces the rear garden of 30 Brookend Street, separated only by the access path. The garden would therefore be overlooked from the kitchen and the bedrooms of the proposed dwelling. This could be overcome if these windows were to be glazed with obscure glass. The applicant's agent has agreed to these amendments and, to ensure adequate ventilation and outlook, also proposes an additional rooflight for bedroom 2 and a new window in the gable end wall for bedroom 1. The revised plans have not been received at the time of writing. Nevertheless I consider that the amendments would protect sufficiently the amenities of neighbours and ensure satisfactory living conditions for occupiers of the new dwelling. Although involving additional alterations to the building the character of the listed building would not be harmed.

6.2 The right of access along the covered passageway, the means of access to the building, is disputed by the owner of the adjoining property. The submitted plans indicate that property rights exist for a "dry" pedestrian route to Station Street across the adjoining McCarthy and Stone site. Nevertheless this is not a matter that should influence determination of a planning application. The application should be assessed on its merits and prevailing planning policies. If permission is granted this would not override property rights.

RECOMMENDATION

That subject to receipt of amended drawing which ensure privacy of neighbours is protected adequately 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 Notwithstanding the approved drawings the dwelling shall not be occupied until the rear garden has been enclosed in accordance with details which have been submitted to and approved in writing by the local planning authority.**

Reason: To enhance the character and appearance of this listed building.

- 3 Notwithstanding the approved drawings the dwelling shall not be occupied until details of the treatment of the gable wall marked "Y" on the plan attached to this permission have been submitted to and approved in writing by the local planning authority and the approved details have been carried out.**

Reason: To enhance the character and appearance of this listed building.

- 4 E19 (Obscure glazing to windows)**

Reason: In order to protect the residential amenity of adjacent properties.

- 5 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.

Informative:

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

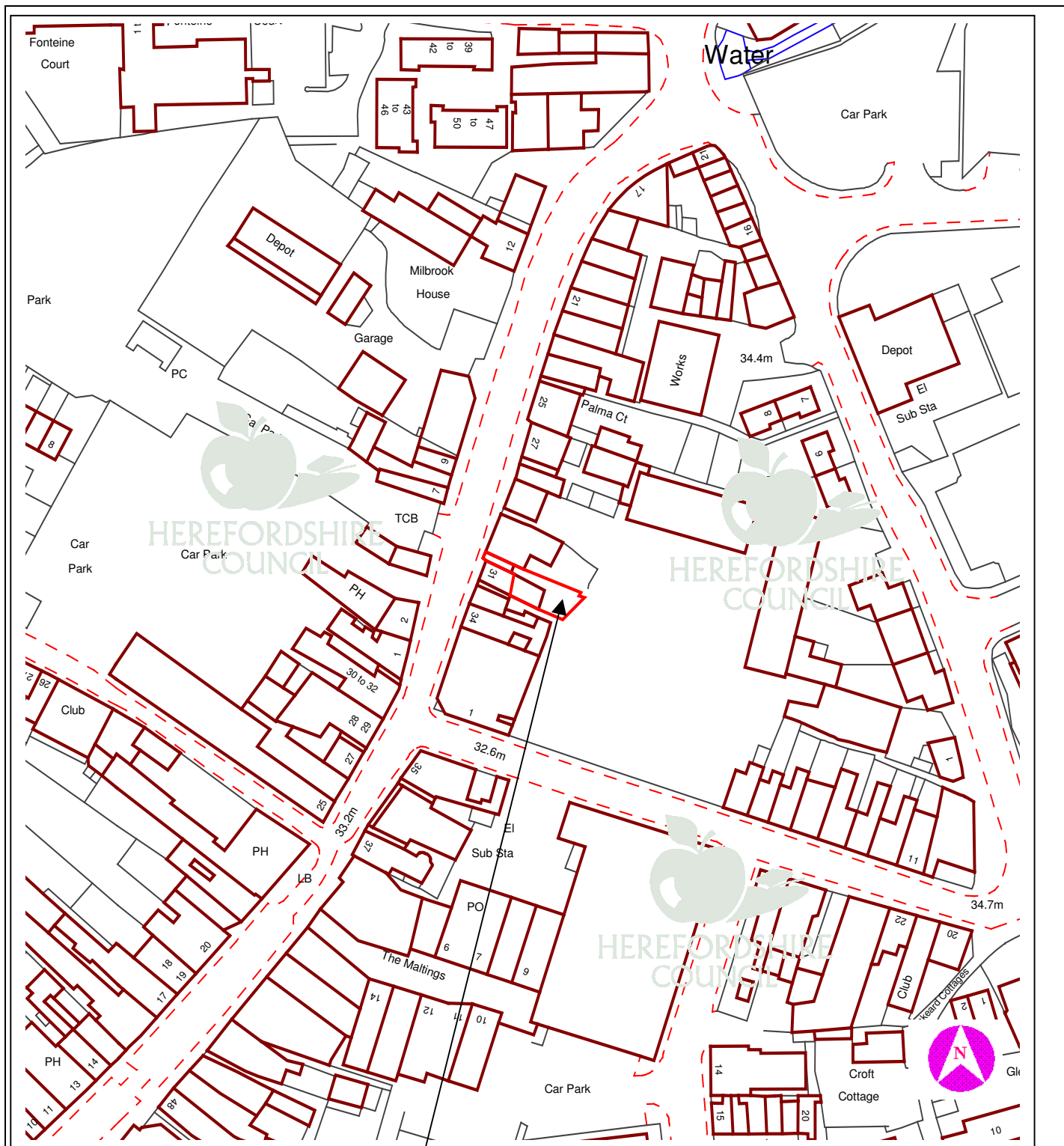
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/4150/F

SCALE : 1 : 1250

SITE ADDRESS : Building to the rear of 31 Brookend Street, Ross-On-Wye, Herefordshire, HR9 7EE

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