

7 DCSE2004/3026/F - DEMOLISH CAR WASH BUILDING. ERECT NEW CAR WASH BUILDING. EXTEND FORECOURT CANOPY. EXTEND STORE AND FORM NEW PARKING AREAS AT BENNETTS OF ROSS LTD, WILTON GARAGE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AE.

For: Bennetts of Ross Ltd per ACT Design, 23 The Avenue, Charlton Kings, Cheltenham, GL53 9BL.

Date Received: 26th August, 2004 Ward: Llangarron Grid Ref: 58816, 24281

Expiry Date: 21st October, 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

- 1.1 This site is located on the southern side of Wilton roundabout and relates to Wilton Garage Filling Station. The site is within the village settlement boundary and designated Conservation Area. The site is a petrol filling station with an associated shop selling mostly general food items. To the rear of the existing car wash is a grassed area currently used as a tennis court. There is an LPG compound and a building in a yard area in the south eastern corner of the site. There is an existing dwelling to the west of the site and a large building plus car park to the east all in the applicant's ownership. There is a housing estate to the rear south west of the site.
- 1.2 This application is to demolish the existing car wash building and wall and rebuild them approximately 12 metres to the south towards the rear of the site i.e. encompassing part of the tennis court area. A flat roofed single storey extension to the store room, a small extension to the petrol pump canopy and additional parking areas are also proposed.

2. Policies

2.1 Planning Policy Guidance

PPS1 - Delivering Sustainable Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC1 - Area of Outstanding Natural Beauty

Policy CTC2 - Area of Great Landscape Value

Policy CTC9 - Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD1 - General Development Criteria

Policy C5 - Development within AONB

Policy C8 - Development Within AGLV

Policy C23 - New Development affecting Conservation Areas

Policy C24	-	Demolition in Conservation Areas
Policy C25	-	Demolition and Redevelopment
Policy ED3	-	Employment Proposals within/adjacent to Settlements
Policy ED5	-	Expansion of Existing Businesses
Policy RT7	-	Petrol Filling Stations
Policy T3	-	Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy HBA6	-	New Development within Conservation Areas
Policy HBA7	-	Demolition of Unlisted Buildings within Conservation Areas
Policy E6	-	Expansion of Existing Businesses
Policy TRC18	-	Petrol Filling Stations

2.5 Supplementary Planning Guidance

SPG	-	Design and Development Requirements
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3. Planning History

3.1	SH97/0827/PF	Change of use to form hot food/preparation area for A3 use including take-away and install flue pipe.	-	Approved 24.9.97
	SH98/0868/RM	Erection of two 4-bedroomed houses with integral single garages, and two 3-bedroomed bungalows with integral single garages with vehicular access thereto.	-	Approved 16.3.99
	SE2001/0302/A	Internally illuminated pole sign.	-	Refused 4.5.01
	SE2001/1441/A	Internally illuminated pole sign.	-	Refused 30.8.01
	SE2001/2748/A	Internally illuminated pole sign.	-	Approved 9.1.02
	SE2001/2967/F	Installation of LPG tanks and dispenser. Demolish buildings. Floodlight on 4 metre pole.	-	Approved 6.3.02
	SE2004/4229/A	Internally illuminated pole sign.	-	Approved 7.2.05

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water recommends that certain conditions and advisory notes are included within any approval.
- 4.2 The Highways Agency are now content that the proposed works may proceed and directs that any planning permission shall include a condition regarding completion of certain mitigation measures.

Internal Council Advice

4.3 The Conservation Manager has no objection.

5. Representations

5.1 The applicant's agent observes:

A meeting was held with the Highways Agency to try and resolve their concerns/objections with respect to the proposal. As a result an access and egress study and traffic flow survey was undertaken and compiled in the form of a report with various recommendations proposed. The applicant is in agreement with these recommendations being imposed and a copy of the report is enclosed.

5.2 The Parish Council has no objections but consideration should be given to restricting or making 'NO ENTRY' to Bennetts directly from the roundabout. We would like more information on how this extension of the garage will affect the houses to be built at the bottom of the site. Bridstow Parish Council has received a letter, rather a copy of a letter put to the Planning Officer by a resident of Bridstow strongly opposing this planning application. Copies of the letter were also put to the Highways Agency, Birmingham and to Paul Keetch MP.

5.3 Two letters of support for the application have been received from Mr. J.C. Felices, Castle Lodge Hotel, Wilton, Ross on Wye, Herefordshire HR9 6AD
Mr. P. Keetch MP, House of Commons, London SW1A 0AA. The main points being:

- At this time, providing the Highways Department are satisfied with the proposals then no objection
- business must move forward and modernise all the time
- the garage has been on the site for 75 years. Some of the houses in the area have been built on land previously owned by the garage and therefore the new house owners bought them in the knowledge of the garage already being there
- the alterations will provide better facilities for customers.

5.4 Eight letters of objection have been received from:

Mr. P. Hughes, 3 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mr. M.P. Williams, 19 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. P. Casa, 11 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. G. Brett, 10 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mr. and Mrs. P.J. Jordan, 16 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. E. Gower, 18 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mr. D.J. Weller, The Rowans, 15 The Pippins, Wilton, Ross on Wye HR9 6BQ
Mrs. P.J. Whalley, 17 The Pippins, Wilton, Ross on Wye HR9 6BQ.

The main points being:

- existing noise and light nuisance will be exacerbated by proposals,
- concern over illuminated sign blocking visibility and width of exit crossover,
- need for 'no entry' into garage from island,
- entry and exit should be on Wilton Road,
- existing garage very busy,
- three trees felled within site with no consent from Council,

- the expansion of the site will affect highway safety and affect residential amenities of neighbours. Previous applications in area have been refused on these grounds,
- the proposed development will have a detrimental affect on character and appearance of Conservation Area,
- proposed height of boundary wall should be raised and a hedgerow planted along rear of site to absorb noise pollution,
- crossing the forecourt entrance is dangerous for pedestrians as it is, and proposal will make this worse,
- moving the car wash will affect neighbouring dwellings,
- the proposal will encourage more traffic to the site on an already busy roundabout,
- extra tree screening required,
- some of traffic enters site from roundabout, which is a hazzard to road safety,
- need to remove access from the garage to the roundabout,
- the application does not provide for change of use of tennis court to residential
- no reason given for extra parking provision,
- overdevelopment of already crowded site.

The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The main issues relate to the size and design of the proposed development, its effect on the character and appearance of the Conservation Area and the residential amenities of neighbouring dwellings. The effect of the proposal on highway safety and the adjacent Trunk Road is also an important issue. The most relevant policies with respect to these issues are GD1, C25, ED3, ED5 and T3 of the South Herefordshire District Local Plan.
- 6.2 The main purpose of the proposed development is simply to make better use of the space within the existing site in order to attain more 'elbow room' for the garage customers to make it easier for them to manoeuvre about the premises. The site itself will not be enlarged. The size and design of the development will be in keeping with the existing buildings/structures, will be in matching materials and will not adversely affect the character and appearance of the immediate area which forms part of the Ross on Wye Conservation area. Nor will these structures/buildings affect the residential amenities of any of the neighbouring dwellings. The relocated car wash building will be far enough away from the rear (southern) boundary of the site so as not to adversely affect the neighbouring dwellings. In any case the existing trees along this boundary already screen the site from these dwellings.
- 6.3 The most important issue relates to the highway safety aspect of the proposal and the use of the vehicle access in particular the one directly onto the roundabout. The Highways Agency originally objected to the proposed development and requested that the application be held in abeyance to give the applicant an opportunity to undertake a review of the proposal in consultation with themselves. One of their main concerns was that vehicles were entering the site directly off the roundabout and often were stopping on the roundabout waiting to enter the site which in turn was blocking the roundabout causing a dangerous hazard to highway safety.
- 6.4 Consequently the applicants had a traffic survey undertaken which analysed the traffic flow and also the access and egress of vehicles to and from site. This survey was undertaken, in consultation with the Highways Agency, and a report produced.

The Highways Agency have been re-consulted on this report and are now happy with the proposal provided the works are carried out in accordance with drawing no. 3.1 contained in the report. The main thrust of the recommendation is that the existing vehicular access onto the roundabout is reduced in width to make it difficult for vehicles to access the site at this point. Also 'no entry' signs are to be erected on either side of the reduced access point. As a result this will become exit only. Access to the site will only be via the access onto the B4260 road to Ross on Wye. Road markings producing a hatched area will encourage vehicles to access the site in a safer manner and reduce traffic backing up to the roundabout.

- 6.5 The proposed development is therefore considered to be acceptable and in accordance with planning policies and guidance. The implementation of the revised access arrangements and layout as shown in drawing 3.1 in the submitted report will improve highway safety.

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. The materials and finish intended for the new section of canopy shall match that on the existing canopy unless otherwise first agreed in writing by the local planning authority.**

Reason: In the interests of visual amenity.

- 4. Before any work commences on site details of all new surfaces shall first be submitted to and be subject to the prior written approval of the local planning authority.**

Reason: In the interest of visual amenity.

- 5. G09 (Retention of trees/hedgerows)**

Reason: To safeguard the amenity of the area.

- 6. Before any work commences on site details of the size, materials and finish intended for the extended wall along the eastern boundary of the site shall first be submitted to and be subject to the written approval of the local planning authority.**

Reason: In the interests of visual amenity.

- 7. No development shall commence upon the application site unless or until the mitigation measures as shown on drawing reference no. 3.1 (contained in Atkins**

report received on 27th March 2006) have been completed to the satisfaction of the local planning authority after consultation with the Highways Agency.

Reason: To ensure that the A40 and A49 trunk roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

8. W01 (Foul/surface water drainage)

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

9. W02 (No surface water to connect to public 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.

10. W03 (No drainage run-off to public system)

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

11. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto.

Informatives:

- 1. The developer is advised to contact the Network Development Consultants to discuss this matter prior to the commencement of any site work, the appropriate contact number being tel: 01443 331155.**
- 2. N16 - Welsh Water Informative**
- 3. A copy of the Welsh Water Statutory Public Sewer Record is attached to this planning permission notice.**
- 4. N15 - Reason(s) for the Grant of Planning Permission**

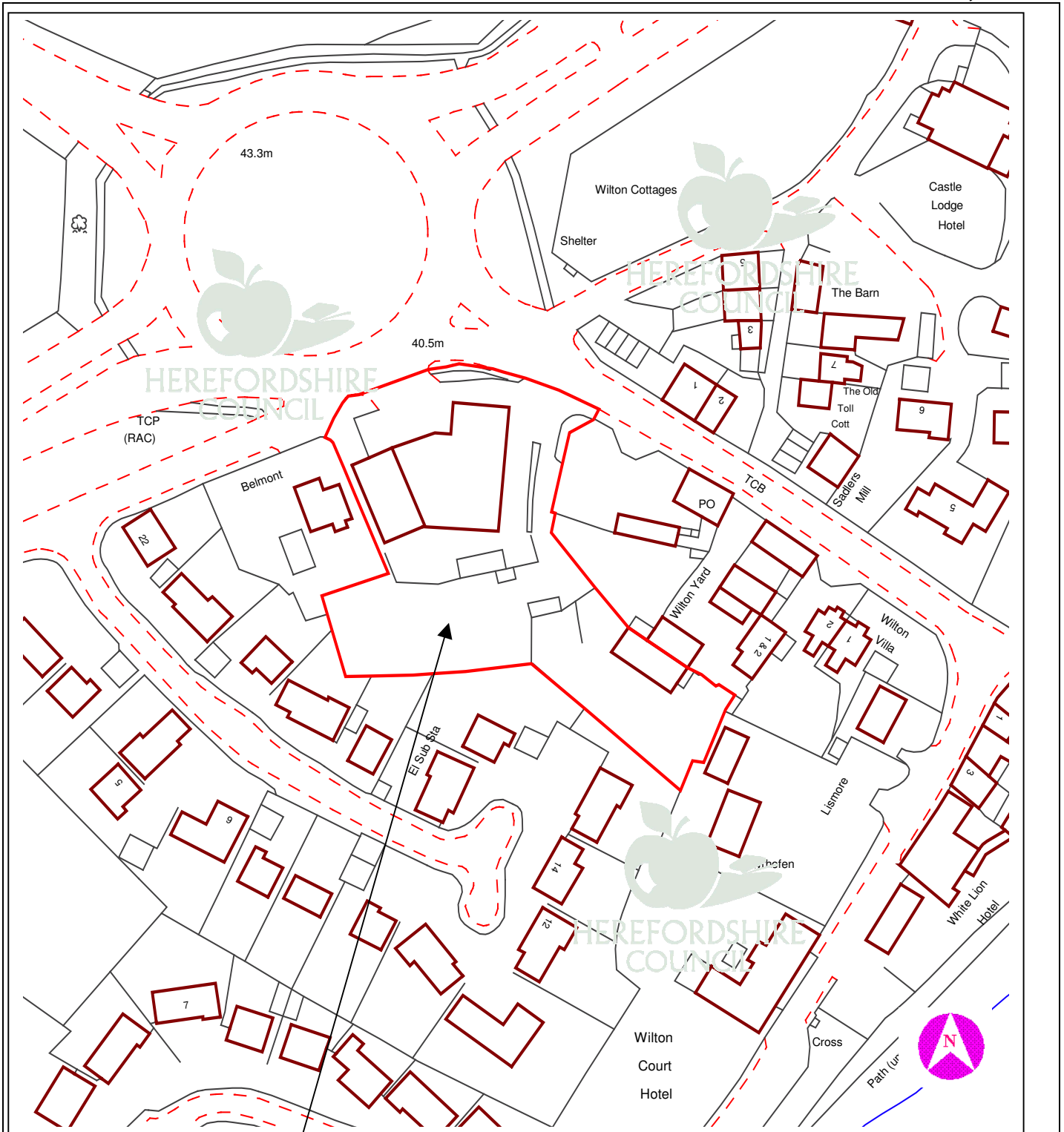
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2004/3026/F

SCALE : 1 : 1250

SITE ADDRESS : Bennetts of Ross Ltd, Wilton Garage, Ross-on-Wye, Herefordshire, HR9 6AE

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