

11A DCSE2006/2048/F - DEMOLITION OF EXISTING GARAGE/STORE TO BE REPLACED WITH GROUND FLOOR SHOP AND 2 BEDROOM FIRST FLOOR FLAT. RENEWAL OF PERMISSION SE2001/0940/F AT THE GARAGE, ADJACENT TO NO. 15 HENRY STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA.

11B DCSE2006/2049/C - DEMOLITION OF EXISTING FLAT ROOF GARAGE/STORE. RENEWAL OF PERMISSION SE2001/0927/C AT THE GARAGE, ADJACENT TO NO. 15 HENRY STREET, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7AA.

For: Mr. & Mrs. K. Lane per Mr. A. Powell, Yew Tree Cottage, Brockhampton, Herefordshire, HR1 4SJ.

**Date Received: 28th June 2006 Ward: Ross-on-Wye West Grid Ref: 60143, 24198
Expiry Date: 23rd August 2006**

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

1. Site Description and Proposal

1.1 The site comprises a garage/workshop building which fronts onto Henry Street. It is about 4 m wide and 13 m deep with a flat roof. The eastern section of the site is currently enclosed within the garden to the front of 19 Henry Street, although the garden is not cultivated. This property is part of a terrace of 6 dwellings to the north of the site which is orientated at right angles to Henry Street. There is modern housing to the east and to the south there is Ross on Wye Library.

1.2 Planning permission and conservation area consent to demolish the existing garage/workshop and erect a retail unit with a one-bedroom flat above were granted in October 2001. The proposed building would occupy the bulk of this small site with only a narrow passage along the north and east sides of the building. The building would be in a Victorian style with a shopfront and first floor window in the front elevation. The side elevation facing towards the terraced houses would have a high level window in a small roof gable and a rooflight with two doors at ground floor level. The southern elevation would have 4 rooflights.

1.3 The current proposal is for renewal of planning permission and conservation area consent.

2. Policies

2.1 Planning Policy Guidance and Statements

PPS6 - Planning for Town Centres
PPG15 - Planning and the Historic Environment

2.1 Hereford and Worcester County Structure Plan

Policy CTC1	-	Areas of Outstanding Natural Beauty
Policy CTC9	-	Development Requirements
Policy CTC15	-	Conservation Areas
Policy CTC18	-	Development in Urban Areas
Policy S1	-	Retail Development in Town Centres

2.2 South Herefordshire District Local Plan**Part 1:**

Policy GD1	-	General Development Criteria
Policy C5	-	Development within Area of Outstanding Natural Beauty
Policy C20	-	Protection of Historic Heritage
Policy C22	-	Maintain Character of Conservation Areas
Policy C23	-	New Development Affecting Conservation Areas
Policy C24	-	Demolition in Conservation Areas
Policy C25	-	Demolition and Redevelopment
Policy RT1	-	Ross-on-Wye Town Centre

Part 3:

Policy H16	-	Conservation Area
Policy H23	-	Re-development of Sites

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

Policy TCR2	-	Vitality and Viability
Policy TCR8	-	Small Scale Retail Development
Policy H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
Policy H13	-	Sustainable Residential Design
Policy H14	-	Re-using Previously Developed Land and Buildings
Policy H16	-	Car Parking

3. Planning History

3.1	SH940672PF	Change of use to travel agents office/electrical contractors store/office.	-	Permitted 19.7.94
	SE2001/0927/C	Demolition of garage/store	-	Consent 17.11.01
	SE2001/0940	Proposed demolition of existing garage/store to be replaced with ground floor shop and 2 bedroom first floor flat.	-	Approved 17.11.01

4. Consultation SummaryStatutory Consultations

- 4.1 Welsh Water recommends that conditions be imposed regarding drainage of the site.

Internal Council Advice

- 4.2 The Traffic Manager has no objection to the grant of permission. It is noted that there is no parking provision but the site is in a sustainable location i.e. town centre. In line with Government Policy Guidelines to encourage the reduction in car use it is considered acceptable (n.b. there is a public car park opposite).
- 4.3 The Conservation Manager has no objections to the proposal from an architectural point of view.

5. Representations

5.1 The applicants' agent points out that:

- (1) the garage/store has not been used for several years and has become dilapidated; the forecourt area has become unkempt and overgrown where rubbish accumulates;
- (2) building would be constructed out of Birtley Old English red facing bricks under natural slate roof; shopfront would be purpose-made timber;
- (3) site has the benefit of being opposite a large car park and close to The Maltings;
- (4) proposals will greatly improve the street scene and enhance an existing dilapidated site.

5.2 Town Council considers that this development would overload the current sewerage system and would exacerbate the flooding and pollution of parts of Ross on Wye. In addition, there is no inclusion of any parking facilities in an area already heavily congested.

5.3 6 letters of objection have been received which raise the following concerns:

- there is already a high density of residential properties within a very small area and we feel it is inappropriate to increase this by a flat;
- there is already a number of vacant shops and commercial premises nearby, what need is there of yet another?
- vehicular parking. There are already problems of residential parking on and off street, and there is little room for commercial vehicles, delivering and collecting on a daily basis. This is the only garage left in Henry Street;
- the proposed building of two storeys will restrict views and reduce natural light for the terrace of houses behind 15 Henry Street and for numbers 8-9 Library Mews;
- light levels in Henry Street terrace is already low with only 2 front windows providing main source of natural light. Rear windows look onto brick wall only 5 ft away;
- only 15ft from front window and already overshadowed by 20ft retaining wall and new houses off School Lane;

- seriously affect well being of occupants of nearby houses;
- may encroach onto boundary of adjoining properties;
- the bakery will emit lingering odours that will waft round the houses bordering on the proposed building; and
- all bakeries require early morning working, deliveries and collections with consequent disturbance to residents nearby.

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. Officer's Appraisal

- 6.1 Since the original grant of permission/consent for this development the Revised Deposit Draft of Herefordshire Unitary Development Plan (UDP) has been published and objections have been considered at a public inquiry. Policies TCR2 and TCR8 of UDP are relevant to this case. The latter states that small scale retail development within the central shopping and commercial areas of market towns will be permitted provided that they are in accordance with other relevant policies of the Plan. The application site is within the commercial area of Ross on Wye and one shop of about 75m² gross floorspace is certainly small-scale development. Policy TCR2 seeks to protect the vitality and viability of town centres by directing new shopping proposals to the central shopping and commercial areas and encouraging the use of upper floors, particularly for residential purposes. The proposal complies in principle therefore with both these policies.
- 6.2 The main issue is therefore the effect on the amenities of neighbours. The 6 terraced houses (nos 15-20 Henry Street) face towards the side wall of the proposed shop/flat. Lighting to these houses is limited: nos 13 & 15 have no rear windows, just two front windows; other houses have their rear outlook/lighting limited by the adjoining shop building and there is a high retaining wall (about 5 or 6 metres) along the eastern boundary of these properties. New houses have been built adjoining School Lane at a much higher level than the terrace. The distance between the terraced houses and the proposed shop/flat would be about 10 m and the application site is at a higher level as the front garden rise to the south. The concerns of local residents are appreciated, nevertheless the separation distance is considered adequate as the height of the new building has been kept as low as practicable and most of the increase in height would be the roof which slopes away from the adjoining houses. The terrace rises to the east which helps to mitigate the impact as the houses at this end of the terrace would be closest to the shop/flat. Privacy can be protected by conditions requiring obscure glazing and no additional windows in the north elevation. There may be some additional overshadowing of gardens but not so serious as to justify refusal of permission.
- 6.3 In relation to the new housing in Library Mews the new building would be at a much lower level, below the level of the old stone retaining wall that forms the boundary of the Mews, although the ridge may appear above the lower retaining wall along the boundary with the Library. The proposed shop/flat would not have an undue adverse impact upon residents' amenities.

- 6.4 The existing garage is not an attractive building and the erection of the shop/flat would enhance the character and appearance of this part of the Ross on Wye Conservation Area.
- 6.5 Welsh Water does not object as it is proposed to divert surface water from the combined sewerage system so that there would be no additional effluent. With regard to car parking, off site provision is not required in town centre locations under current Government guidelines. The Traffic Manager does not object to the proposal.

RECOMMENDATION

In respect of DCSE2006/2048/F:

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. B01 (Samples of external materials)

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

3. E06 (Restriction on Use)

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

4. No windows/dormer windows other than those expressly authorised by this permission shall be constructed in the north elevation of the property.

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

5. E19 (Obscure glazing to windows)

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

6. F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

7. G01 (Details of boundary treatments)

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

8. C04 (Details of window sections, eaves, verges and barge boards)

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

9. C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

10. C11 (Specification of guttering and downpipes)

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

11. 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.

12. W01 (Foul/surface water drainage)

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

13. 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.

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

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

Informative:

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

Decision:

Notes:

.....

In respect of DCSE2006/2049/C

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

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.

2. C14 (Signing of contract before demolition)

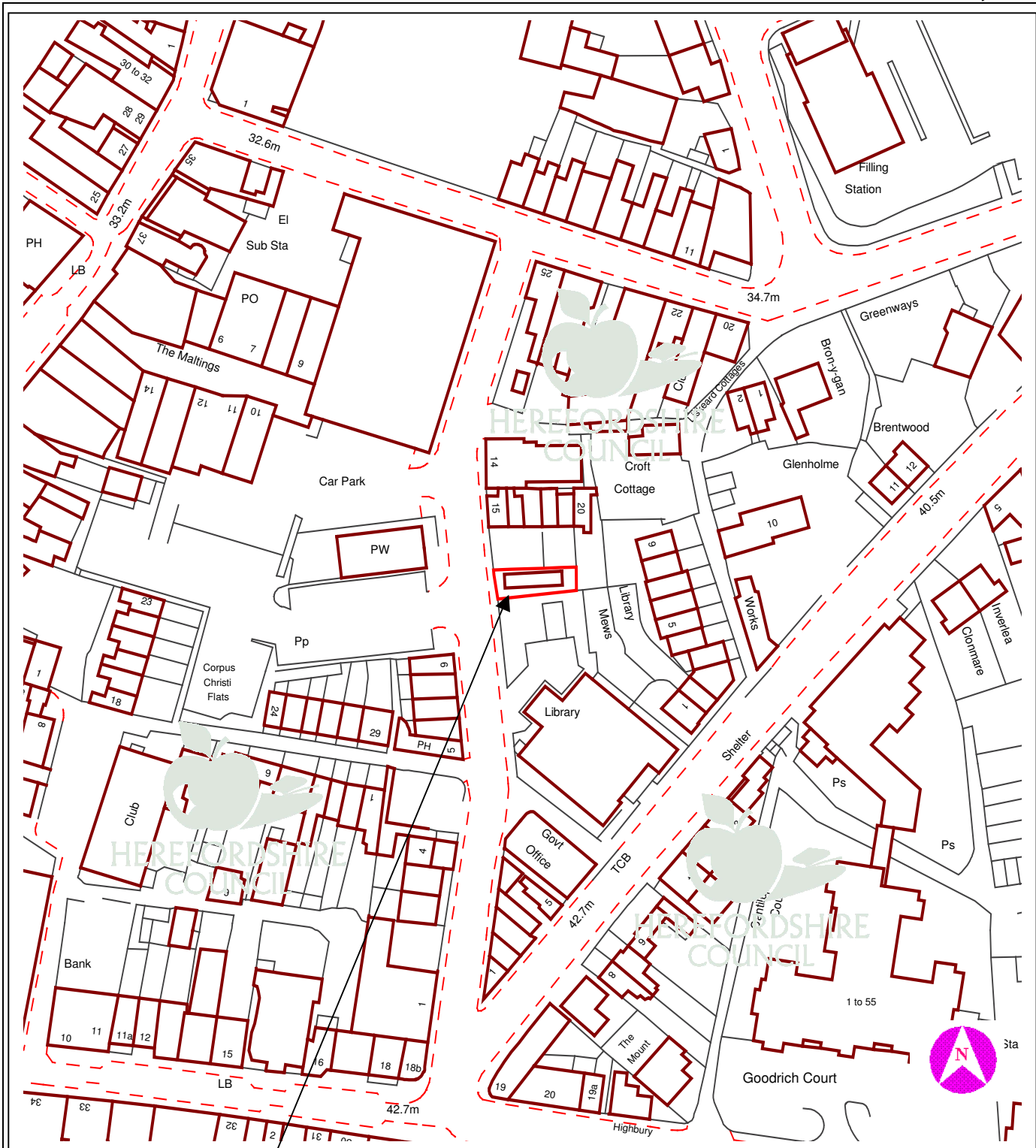
Reason: Pursuant to the provisions of Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Informative:

1 N15 - Reason(s) for the Grant of Conservation Area Consent

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSE2006/2048/F

SCALE : 1 : 1250

SITE ADDRESS : The garage, adjacent to No. 15 Henry Street, Ross-on-Wye, Herefordshire, HR9 7AA

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005