

**7 DCCE2004/2336/F - CHANGE OF USE FROM FORMER SITE OF DEMOLISHED DWELLING TO CAR SALES AREA WITH PORTACABIN AT LAND ADJACENT TO 19 PERSEVERANCE ROAD, HEREFORD, HR4 9SN****For: Mrs. T. Fry per Mr. R. Pritchard, The Mill, Kenchester, Hereford, HR4 7QJ****Date Received: 15th July, 2004      Ward: Three Elms      Grid Ref: 50721, 41362**  
**Expiry Date: 9th September, 2004**

Local Members: Councillors Mrs. P.A. Andrews, Mrs. S.P.A. Daniels and Ms. A.M. Toon

**1. Site Description and Proposal**

- 1.1 The application site is a vacant plot of land (formerly a dwelling) that fronts Perseverance Road. To the east of the site lies No. 19, a detached residential property. An access road that forms the western boundary leads to a number of industrial buildings and rear access to Dunelm.
- 1.2 The proposal is to use the site as a car sales area. It is anticipated that approximately 15 cars would be available at any one time. A portacabin would be sited in the southern corner of the site in line with No. 19 Perseverance Road.

**2. Policies**

## 2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles  
PPG4 - Industrial and Commercial Developments and Small Firms  
PPG13 - Transport

## 2.2 Hereford Local Plan:

- Policy ENV14 - Design  
Policy ENV15 - Access for All  
Policy ENV16 - Landscaping  
Policy E2 - Established Employment Areas  
Policy E7 - Criteria for Employment Development

## 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy DR1 - Design  
Policy DR13 - Noise  
Policy E5 - Safeguarding Employment Land and Businesses  
Policy E8 - Design Standards on Employment Sites  
Policy T11 - Parking Provision

### 3. Planning History

3.1 None relevant to this application.

### 4. Consultation Summary

#### Statutory Consultations

4.1 None consulted.

#### Internal Council Advice

4.2 Head of Engineering and Transportation, response from Transportation Manager: No objection.

4.3 Environmental Health Officer: No adverse comments to make on this application.

4.4 Head of Forward Plans: There are no policy objections to this proposal, provided the Case Officer is satisfied that the criteria of Policy E7 are met.

### 5. Representations

5.1 Hereford City Council make the following comments: No objection but suggest the erection of a 3m high fence between site and 19 Perseverance Road and limiting of trading hours to between 9.00am and 6.00pm only.

5.2 Two letters of representation have been received. One letter from Miss S. Mifflin of 19 Perseverance Road which raises concerns over the boundary treatment that currently comprises a hedgerow which causes nuisance to pedestrians and drivers.

The second letter is from Edward Bainbridge of 'Burgoyne Group' who write to oppose the proposed change of use for the following reasons:

- The site is directly opposite the road entrance to our premises and we have deliveries of 40' containers to our warehouse on a regular basis. The vehicles bringing the containers will have difficulty in accessing our site if vehicles are parked in the street opposite our entrance.
- We believe that it is likely that there will be an increase in the number of vehicles parked in Perseverance Road if this application is approved, particularly in the area near our site entrance. This will result in an increased risk of accidents and difficulties in site access for commercial delivery vehicles.
- Perseverance Road is used as a 'rat run' during the mornings and evenings, an increase in vehicles parked on the side of the road will cause considerable traffic problems, which are already high in the area around 'Sticky Fingers' play school at the end of Perseverance Road.
- The road is not wide enough for two vehicles to pass when a car is parked by the kerb.

- We would ask that consideration is given to the likely detrimental increase in traffic and road side parking in the event of this application being approved. For the above reasons we wish to register our objections to this application.

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

## **6. Officers Appraisal**

6.1 The main issues in the consideration of the proposal relate to Policy E7 of the Hereford Local Plan. These issues relate to:

- The acceptability of the proposal in terms of its impact on the amenity of neighbouring properties and uses, and impact on the general character of the surrounding area.
- The effect on the local highway network, access, car parking and operational space.
- The visual impact of the proposed portacabin.

6.2 The site lies in an area that has a mix of residential, commercial and industrial uses. There is no objection in principle to the use of the site for car sales, due to its proximity to the industrial and commercial areas. The use is not considered to have an adverse impact on the neighbouring residential or commercial properties.

6.3 The application site already has an access that serves the industrial units to the rear. Whilst it is acknowledged that there is a letter of objection to the introduction of a car sales unit due to the potential increase in car movements, it is considered that the introduction of this use, that would be served by the existing access would not increase the numbers of vehicles using the site to such a level that would cause a hazard to road users or pedestrians.

6.4 The introduction of a portacabin to the rear of the site would be relatively unobtrusive. There would be no immediate impact on the street scene or on the amenities of the neighbouring property. As such the use of a portacabin in this location having regard to the surroundings is considered acceptable.

6.5 There is some concern relating to the boundary treatments around the site, including the access. A detailed plan is requested by condition to show boundary treatments and access arrangements in greater detail.

6.6 To conclude, there are no policy objections to the proposed change of use. The proposal would not have a negative impact on the amenities currently enjoyed by the neighbouring properties and although traffic movements may increase slightly it would not be detrimental to 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. G01 (Details of boundary treatments).**

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

**3. H15 (Turning and parking: change of use - commercial).**

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

**Informatives:**

**1. N03 - Adjoining property rights.**

**2. N14 - Party Wall Act 1996.**

**3. N15 - Reasons for the Grant of Planning Permission.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.