

# **PLANNING COMMITTEE**

**Date: 14 March 2018**

**MORNING**

## **Schedule of Committee Updates/Additional Representations**

**Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.**

## SCHEDULE OF COMMITTEE UPDATES

**150659 - DEMOLITION OF ALL EXISTING BUILDINGS AND HARD STANDINGS, REMEDIATION OF THE SITE, INCLUDING REINSTATEMENT OR LANDSCAPING OF THE FORMER CANAL AND DEVELOPMENT OF UP TO 120 HOMES, LANDSCAPING, PUBLIC OPEN SPACE, NEW VEHICLE AND PEDESTRIAN ACCESS AND ASSOCIATED WORKS AT LAND AT HOLMER TRADING ESTATE, COLLEGE ROAD, HEREFORD, HEREFORDSHIRE,**

**For: Codex Land PCC Cell B per Mr Ben Stephenson, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL**

### ADDITIONAL REPRESENTATIONS

Herefordshire & Gloucestershire Canal Trust: Updated comment 13.3.2018

**An updated response has been received from the Herefordshire & Gloucestershire Canal Trust. This replaces the objection from 2016 at 5.4 of the published report and is recorded in full below:-**

Having reviewed the District Valuers position and worked with Codex for several years on this scheme we can only concur with DV and can only support the developer's current position with regard to the canal.

We would be seeking transfer of Ownership of the Canal corridor at the granting of Consent as this site has bounced around for so long and part of this much reduced offer needs to be that the land is definitely secured into 'public' ownership. I am comfortable that Codex will retain reasonable crossover rights for services etc subject to non conflict with the Canal obviously.

We are happy with a clause in the transfer that 'no agreement or transfer to the H&G Canal Trust shall in any way prejudice any subsisting rights of access exercised by Cavanagh'.

As discussed the unrestricted transfer to us needs to include unrestricted rights of access for the length of the common boundary to the retained land. Land Transfer to H&G Canal Trust to be to that common boundary with Highway Land [or if retained un-adopted quasi Highway Land]; and common to Highway Land above tunnel portal. Transfer to be to common boundary with Tunnel land at one end and Canal in Aylestone Park at the other and the publicly owned land of Victoria park on the remaining boundary.

Should the currently defined roadway through the development not be adopted we must reserve a position that the owner will fully co-operate with the reasonable requirements of the Trust within the roadway for the restoration of the Canal. The owner of the retained land to support the Trust in the restoration of the Canal and any applications related thereto. A 'Non objection' clause on the retained land will be required if we are to restore post Housing.

Codex/the landowner to fulfill best endeavours to secure transfer of tunnel to H&G Canal Trust.

Please note that all other terms of the s.106 should remain especially with regard to legal and related fees payable to The Canal Trust [The Wharf House Co. Ltd acting in this role] please.

### **OFFICER COMMENTS**

The Herefordshire & Gloucestershire Canal Trust is the delivery body for the canal and these updated comments assume a very high degree of significance accordingly.

The Canal Trust recognises that the unviability of delivering a restored section of canal as part of this development is unarguable. Support is expressed for the developer's position and the long-standing working relationship between the applicants and the Canal Trust is also highlighted.

These comments give, in the view of officers, further weight in support of the recommendation before Members, which acts to safeguard the canal route and require the transfer of the canal land to the Canal Trust.

### **NO CHANGE TO RECOMMENDATION**

**172019 – VARIATION OF CONDITION 19 (P140285/O – 76 DWELLINGS AND A BUSINESS CENTRE) AMENDED TO: THE B1 COMMERCIAL UNIT AND ITS ASSOCIATED INFRASTRUCTURE AS SHOWN ON APPROVED PLAN 0609-11/D/3.01 SHALL BE CONSTRUCTED AND CAPABLE OF OCCUPATION FOR EMPLOYMENT PURPOSES PRIOR TO THE FINAL OCCUPATION OF 35 NO. DWELLINGS AT LAND AT PORTHOUSE FARM, TENBURY ROAD, BROMYARD, HEREFORDSHIRE**

**For: Mr Jones per Miss Hawa Patel, 28 Pickford Street, Digbeth, Birmingham, B5 5QH**

### **ADDITIONAL REPRESENTATION**

Mr Hancocks has contacted the Democratic Services Officer to confirm that he wishes to withdraw his objection, which is reported at 4.2 of the Case Officer Report.

### **NO CHANGE TO RECOMMENDATION**

**174466 - PROPOSED RESIDENTIAL DEVELOPMENT TO PROVIDE 4 NO FLATS AT 8 COTTERELL STREET, HEREFORD, HEREFORDSHIRE, HR4 0HQ**

**For: Mr Gough per Mr T J Ford, 30 Grove Road, Hereford, Herefordshire, HR1 2QP**

### **OFFICER COMMENTS**

Condition 11 should be replaced with the following condition:

Prior to the first occupation of any of the residential units hereby approved a scheme demonstrating measures for the efficient use of water as per the optional technical standards

contained within Policy SD3 shall be submitted to and approved in writing by the local planning authority and implemented as approved.

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy.

**CHANGE TO RECOMMENDATION**

As per the Officer's Report, subject to amendment to condition 11 as set out above.