

A G E N D A

Central Area Planning Sub-Committee

Date: **Wednesday, 30th June, 2004**

Time: **2.00 p.m.**

Place: **The Council Chamber,
Brockington, 35 Hafod Road,
Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

*Ben Baugh, Members' Services,
Tel: 01432 261882*

e-mail: bbaugh@herefordshire.gov.uk



**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Central Area Planning Sub-Committee

To: Councillor D.J. Fleet (Chairman)
Councillor R. Preece (Vice-Chairman)

Councillors Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Edwards, J.G.S. Guthrie, T.W. Hunt (ex-officio), G.V. Hyde, Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.C. Mayson, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, Miss F. Short, W.J.S. Thomas, Ms. A.M. Toon, W.J. Walling, D.B. Wilcox, A.L. Williams, J.B. Williams (ex-officio) and R.M. Wilson.

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES	1 - 14
To approve and sign the Minutes of the meeting held on 2nd June, 2004.	
4. ITEM FOR INFORMATION - APPEALS	15 - 16
To note the Council's current position in respect of planning appeals for the Central Area.	
REPORTS BY THE HEAD OF PLANNING SERVICES	
To consider and take any appropriate action in respect of the planning applications received for the Central Area and to authorise the Head of Planning Services to impose any additional or varied conditions and reasons considered to be necessary.	
Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting.	
Agenda items 5, 6 and 7 are applications that have been subject to site inspections following the last meeting.	
5. DCCW2004/1290/F - LAND ADJACENT TO 21 GUILDFORD STREET, HEREFORD, HR4 0DS	17 - 22
Proposed house.	

6.	DCCW2004/1308/RM - VACANT FIELD, ADJACENT TO THREE ELMS ROAD, NORTH OF BONINGTON DRIVE, WHITECROSS, HEREFORD	23 - 32
	A new secondary school (1 single and two 2-storey teaching blocks) with associated sports fields, hard courts, car parking and associated landscaping.	
7.	DCCW2004/0933/F - LAND ADJACENT TO DORGAR, SHELWICK, HEREFORD, HR1 3AL	33 - 36
	Proposed two storey detached dwelling with integral garage.	
8.	DCCE2004/1340/F - CRESCENT HOUSE, 15 JUDGES CLOSE, HEREFORD, HR1 2TW	37 - 44
	Conversion of detached house into 4 no. self contained luxury apartments with garaging and parking.	
9.	DCCW2004/0950/F - BOWLING GREEN CAR PARK, BEWELL STREET, HEREFORD	45 - 54
	Proposed redevelopment to incorporate 7 retail units and 14 residential units.	
10.	DCCW2004/1053/F - NELSON TECHNICAL CENTRE, H.P. BULMER, WHITECROSS ROAD, HEREFORD, HR4 0LE	55 - 58
	Change of use from laboratory facility to studios/classroom for educational purpose.	
11.	DATE OF NEXT MEETING	
	The next scheduled meeting is Wednesday 28th July, 2004.	

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Please Note:

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The meeting venue is accessible for visitors in wheelchairs.

A public telephone is available in the reception area.

Public Transport Links

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

MINUTES of the meeting of the Central Area Planning Sub-Committee held at Brockington, 35 Hafod Road, Hereford, on Wednesday 2nd June, 2004 at 2.00 p.m.

Present: Councillor D.J. Fleet (Chairman)

Councillors Mrs. P.A. Andrews, Mrs. W.U. Attfield, Mrs. E.M. Bew, A.C.R. Chappell, P.J. Edwards, J.G.S. Guthrie, G.V. Hyde, Mrs. M.D. Lloyd-Hayes, R.I. Matthews, J.C. Mayson, J.W. Newman, Mrs. J.E. Pemberton, Ms. G.A. Powell, Mrs. S.J. Robertson, Miss. F. Short, W.J.S. Thomas, Ms. A.M. Toon, D.B. Wilcox and R.M. Wilson.

In attendance: Councillors T.W. Hunt and J.B. Williams.

1. APOLOGIES FOR ABSENCE

It was noted that Councillor D.J. Fleet had been re-elected Chairman and Councillor R. Preece had been re-appointed Vice-Chairman of the Central Area Planning Sub-Committee at the Annual Council meeting held on 21st May, 2004.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. S.P.A. Daniels, R. Preece, W.J. Walling and A.L. Williams.

3. DECLARATIONS OF INTEREST

The following declarations of interest were made during the meeting.

<u>Councillor</u>	<u>Item</u>	<u>Interest</u>
G.V. Hyde	Ref. 5 – DCCW2004/0933/F Proposed two storey detached dwelling with integral garage at: LAND ADJACENT TO DORGAR, SHELWICK, HEREFORD, HR1 3AL	Declared a prejudicial interest and left the meeting for the duration of this item.
G.V. Hyde	Ref. 6 - DCCW2004/0922/F Demolition of some existing stable blocks and erection of new stable blocks and vets treatment building to existing stable yard at: HEREFORD RACECOURSE, ROMAN ROAD, HEREFORD, HR4 9QU	Declared a personal interest.
G.V. Hyde	Ref. 8 - DCCW2004/1220/O Construction of new business units for B1, B2 & B8 uses, new estate spine road and parking areas, demolition of existing Unit 9A at: THREE ELMS TRADING ESTATE, BAKERS LANE, THREE ELMS ROAD, HEREFORD, HR4 9PU	Declared a prejudicial interest and left the meeting.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 5th May, 2004 be approved as a correct record and signed by the Chairman.

5. ITEM FOR INFORMATION – APPEALS

The Sub-Committee received an information report about planning appeals for the Central Area.

RESOLVED: That the report be noted.

6. REPORT OF THE HEAD OF PLANNING SERVICES

The report of the Head of Planning Services was presented in respect of the planning applications received for the Central Area.

RESOLVED: That the planning applications be determined as set out in the appendix to these Minutes.

EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED: That under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below.

SUMMARY OF THE PROCEEDINGS OF EXEMPT INFORMATION

- [12) Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:
- (a) any legal proceedings by or against the authority, or
 - (b) the determination of any matter affecting the authority
- (whether, in each case, proceedings have been commenced or are in completion)
- 13) Information which, if disclosed to the public, would reveal that the authority proposes:
- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
- 14) Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.]

7. ITEM FOR INFORMATION – ENFORCEMENT

The Sub-Committee received an information report about enforcement matters within the Central Area. There was no discussion on this item.

RESOLVED: That the report be noted.

8. DATE OF NEXT MEETING

It was noted that the next scheduled meeting was Wednesday 30th June, 2004.

CHAIRMAN

Ref. 1
HEREFORD
DCCW2004/0880/F

Change of use from hair salon to office at:

13 HOLMER STREET, WHITECROSS, HEREFORD

For: **G. JAQUES, FIRST KEY, HOLMER ROAD, HEREFORD, HR4 9RX**

The Central Divisional Planning Officer reported the receipt of a letter from the occupiers of 1 Holmer Street and summarised its contents. It was also reported that the applicant had independently negotiated car parking spaces in a nearby private car park.

The Local Ward Members noted that the use of the car park would partly address concerns regarding the lack of parking at the site.

RESOLVED:

That planning permission be granted subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 The development shall be carried out in all respects strictly in accordance with the approved plans received by the local planning authority on 23 March 2004.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

Informatives:

- 1 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.**
- 2 The applicant is advised that, to satisfy the Building Regulations, it will be necessary to isolate the kitchen area from other parts of the building, this requiring a corridor or lobby to be formed between the front office, rear office, toilet and kitchen area.**
- 3 The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:**

Hereford Local Plan:

**ENV15 - Access for all
H12 - Established Residential Areas**

H21 - Compatability of non-residential use

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 2
HEREFORD
DCCE2004/0095/RM

Proposed residential development mix of 2, 3, 4 and 5 bed houses, flats, bungalows, car parking/garages, roads and sewers thereto and landscaping at:

PHASE 1 LAND OFF BULLINGHAM LANE, BRADBURY LINES, HEREFORD

For: **GEORGE WIMPEY SOUTH WEST LTD., PER MR. C.M. SACKETT, MASON RICHARDS PLANNING, 155 AZTEC WEST, ALMONDSBURY, BRISTOL, BS32 4NG**

The Central Divisional Planning Officer reported the receipt of a number of letters of objection following reconsultation on amended plans which, at the request of the Sub-Committee at the last meeting, included the reinstatement of the pedestrian/cycle link between the site and Bradbury Close as originally proposed in the Master Plan for the site.

In accordance with the criteria for public speaking, Mr. Pegler spoke against the application.

The Local Members noted that there had been extensive consultation regarding the pedestrian/cycle link and that it had been deleted from the proposal following considerable objection on amenity and security grounds from local residents and the lack of any actual technical need or demonstrable benefit from a pedestrian/cycle link in this location. The Local Members expressed concerns about potential safety and security risks should this element be approved. A number of Members supported these views.

In response to a question, the Central Divisional Planning Officer advised that no comments had been received from West Mercia Constabulary. The Central Divisional Planning Officer explained the pedestrian and vehicular access arrangements and briefly commented on proposals for later phases of development.

In response to comments, the Local Members noted the importance of promoting walking and cycling but felt that a 'cut-through' in the form proposed would result in noise and disturbance for local residents.

A suggestion was made that, if the link was removed from the proposal, any potential short-cut should be blocked by a wall rather than a fence to prevent any problems in the future.

The Local Members suggested that there should be a restriction of hours during construction to protect the amenity of local residents.

A motion to approve the application with the inclusion of the pedestrian/

cycle link failed and the Sub-Committee approved the resolution detailed below.

RESOLVED:

That Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the deletion of the pedestrian/cycle link between the site and Bradbury Close and any other conditions considered necessary by Officers.

Ref. 3
HEREFORD
DCCE2004/0836/RM

Proposed erection of 70 residential mixed dwellings, garages, roads and associated works at:

BRADBURY LINES, HEREFORD

For: **BARRATT HOMES LTD., C/O HAMMONDS YATES LTD., VICTORIAN ARCADE, 109 HIGH STREET, PORTISHEAD, BRISTOL, BS20 6PT**

In response to a questions, the Central Divisional Planning Officer advised that the proposal included 19 low cost market affordable houses and outlined the conditions relating to highways that formed part of the Section 106 Agreement in respect of planning application CE2001/2757/O.

RESOLVED:

That planning permission be granted subject to the following informatives:

- 1 The applicant's attention is drawn to condition Nos. 6, 14, 27, 29, 30, 31, 32 and 36 which require further details to be submitted prior to commencement of development.**
- 2 The applicant's attention is drawn to condition No. 26 which requires all construction traffic to use Bullingham Land only. No construction traffic should enter or leave the site via Bradbury Close or Hoarwithy Road.**
- 3 This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.**
- 4 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.**
- 5 The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:**

Hereford Local Plan:

ENV7 – Noise
ENV8 – Contaminated land
ENV14 – Design
H3 – Design of new residential development
H4 – Residential roads
H5 – Public open space provision in larger schemes
H12 – Established residential areas
CAL15 – Long distance views
NC6 – Criteria for development proposals
T11 – Pedestrian provision
T12 – Cyclist provision
R2 – Deficiencies in public open space provision
R4 – Outdoor playing space standard
R5 – Loss of outdoor playing space
R6 – Provision of outdoor playing space
R8 – Children’s play areas

Herefordshire UDP (Deposit Draft):

S1 – Sustainable development
S2 – Development requirements
S3 – Housing
DR1 – Design
H1 – Hereford and the market towns

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Ref. 4
HEREFORD
DCCE2004/0568/F

Construction of new detached building for teaching music plus associated activities, together with curved roof extension over existing single storey building, and new covered corridor link at:

HEREFORD SIXTH FORM COLLEGE, FOLLY LANE, HEREFORD, HEREFORDSHIRE, HR1 1LU

For: HEREFORD SIXTH FORM COLLEGE PER MR. MORRIS, STOCKS TREE COTTAGE, KINGS PYON, HEREFORD, HR4 8PT

In accordance with the criteria for public speaking, Mr. Godfrey spoke in support of the application.

The Local Ward Member noted that additional students and visitors were likely to be attracted to the new building and questioned whether the on-site parking provision was sufficient. Other Members felt that the need for the decked car parking proposed in the Master Plan for the Combined Folly Learning Village was more immediate. In response, the Central Divisional Planning Officer advised that these proposals were intended to upgrade existing facilities at the Sixth Form College only and the proposed additional on-site parking would help to meet extra demand for parking. He added that it would not be reasonable to require the decked car parking in conjunction with this application but it

was appropriate to require the Sixth Form College to make a financial contribution towards the resident only parking scheme given the acknowledged student related on-street parking problems in the locality.

Some Members suggested areas where further parking spaces could be provided and commented on the continued need for a successful Green Transport Plan.

The Local Ward Member was concerned that longer-term solutions to the parking problems should be delivered through this application and felt that additional on-site parking provision should be provided to the satisfaction of the Local Planning Authority. In response, the Central Divisional Planning Officer and the Leisure Services Manager explained that any further encroachment onto the areas of play space would result in a formal objection from Sport England. The Central Divisional Planning Officer re-iterated the purpose of these proposals and commented on how they integrated with the Master Plan for the Learning Village.

RESOLVED:

That:

- i) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 requiring the applicant to make a financial contribution towards the cost of implementing a “resident only” on-street parking scheme on nearby roads and any additional matters and terms as she considers appropriate; and**
- ii) Upon completion of the aforementioned Planning Obligation, 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))**
 - 2 B01 (Samples of external materials)**
 - 3 All windows/glazing panels in the north west facing (rear) elevation of the Music Building, any elevation of the curved roof over the existing single storey flat roof, and to the sides of the suspended new corridor shall be glazed with obscured glass and permanently fixed shut.**

Reason: To safeguard the amenities of nearby residential properties.
 - 4 F01 (Scheme of noise attenuating measures)**
 - 5 F48 (Details of slab levels)**
 - 6 Prior to the first use of the Music Building hereby approved the temporary buildings named 'TEMP'Y1', 'TEMP'Y2',**

'TEMP'Y3' and 'TEMP'Y4' on drawing No. SITE PLAN 1 shall be removed from the site.

Reason: To accord with the terms of the application and safeguard the amenities of the locality.

7 H13 (Access, turning area and parking)

8 Foul water and surface water discharges must be drained separately from the site. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system. No land drainage run off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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

Informatives:

1 - N02 - Section 106 Obligation

2 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Ref. 5
SHELWICK
DCCW2004/0933/F

Proposed two storey detached dwelling with integral garage at:

LAND ADJACENT TO DORGAR, SHELWICK, HEREFORD, HR1 3AL

For: **MR. & MRS. E.M. BRIMFIELD, DORGAR, SHELWICK, HEREFORD, HR1 3AL**

The Local Ward Member proposed that a site visit be undertaken as the setting and surroundings were fundamental to the decision or to the conditions being considered.

In accordance with the criteria for public speaking, Mr. Brimfield had registered to speak in support of the application but decided to defer his opportunity to speak until this application was considered again after the site visit had taken place.

RESOLVED:

That consideration of planning application DCCW2004/0933/F be deferred for a site visit.

Ref. 6
HEREFORD
DCCW2004/0922/F

Demolition of some existing stable blocks and erection of new stable blocks and vets treatment building to existing stable yard at:

HEREFORD RACECOURSE, ROMAN ROAD, HEREFORD, HR4 9QU

For: **NORTHERN RACING LIMITED PER MASON RICHARDS PARTNERSHIP, HIGHFIELD HOUSE, 5 RIDGEWAY, QUINTON BUSINESS PARK, BIRMINGHAM, B32 1AF**

In response to a question, the Principal Planning Officer advised that the concerns of the Environment Agency regarding drainage would be addressed by a condition.

A number of Members spoke in support of the application.

RESOLVED:

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. G11 (Retention of hedgerows (where not covered by Hedgerow Regulations)).

Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.

4. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

5. F17 (Scheme of foul drainage disposal).

Reason: In order to ensure that satisfactory drainage arrangements are provided.

Informative:

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

Ref. 7
HEREFORD
DCCE2004/1255/F

Proposed "DASH" facility (drop-in counselling place and offices) to ground and first floor at:

MONKMOOR COURT, 31-34 COMMERCIAL ROAD, HEREFORD, HEREFORDSHIRE, HR1 2BG

For: **HEREFORDSHIRE PRIMARY CARE TRUST, CAPITA PROPERTY CONSULTANCY, EASTGATE HOUSE, 35-43 NEWPORT ROAD, CARDIFF, CF24 0SB**

This application was withdrawn at the request of the applicant.

Ref. 8
HEREFORD
 DCCW2004/1220/O

Construction of new business units for B1, B2 & B8 uses, new estate spine road and parking areas, demolition of existing Unit 9A at:

THREE ELMS TRADING ESTATE, BAKERS LANE, THREE ELMS ROAD, HEREFORD, HR4 9PU

For: **KENMORE HEREFORD 2 LIMITED PER CROUCH BUTLER SAVAGE LIMITED, 32 USBORNE MEWS, LONDON, SW8 1LR**

RESOLVED:

That planning permission be granted subject to the following conditions:

1. **A02 (Time limit for submission of reserved matters (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. **A03 (Time limit for commencement (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. **A04 (Approval of reserved matters).**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. **A05 (Plans and particulars of reserved matters).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

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 Outline Planning Permission.**

Ref. 9
HEREFORD
 DCCW2004/1290/F

Proposed house at:

LAND ADJACENT TO 21 GUILDFORD STREET, HEREFORD, HR4 0DS

For: **S. BEREK DAR PER MR. J. PHIPPS, BANK LODGE, COLDWELLS ROAD, HOLMER, HEREFORD, HR1 1LH**

The Central Divisional Planning Officer reported the receipt of a petition from the St. Nicholas Community Association and a further letter of objection from the occupiers of 1 Guildford Street

The Local Ward Member proposed that a site visit be undertaken as the setting and surroundings were fundamental to the decision or to the conditions being considered.

RESOLVED:

That consideration of planning application DCCW2004/1290/F be deferred for a site visit.

Ref. 10
WESTHOPE
DCCW2004/0867/F

Construction of two poultry houses and associated ancillary works at:

LAWTONS HOPE FARM, WESTHOPE, HEREFORD, HR4 8BJ

For: **S. MORGAN & SONS PER MIKE HALL ADVISORY, 14 SUNNINGDALE, LEOMINSTER, HEREFORDSHIRE, HR6 8EH**

RESOLVED:

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. **G04 (Landscaping scheme (general)).**

Reason: In order to protect the visual amenities of the area.

4. **G05 (Implementation of landscaping scheme (general)).**

Reason: In order to protect the visual amenities of the area.

5. **G07 (Details of earth works).**

Reason: To ensure that the application site is properly landscaped in the interest of visual amenity of the area.

6. **G09 (Retention of trees/hedgerows).**

Reason: To safeguard the amenity of the area.

7. **F32 (Details of floodlighting/external lighting).**

Reason: To safeguard local amenities.

8. F37 (Scheme of odour and fume control).

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

9. F18 (Scheme of foul drainage disposal).

Reason: In order to ensure that satisfactory drainage arrangements are provided.

Informatives:**1. HN01 - Mud on highway.**

2. The attention of the applicant is drawn to the comments of the Environment Agency in the letter dated 22nd April 2004. The scheme as submitted in relation to Condition 9 shall incorporate measures as specified by the Environment Agency for the prior approval of the local planning authority.

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

Ref. 11
HEREFORD
DCCW2004/0938/F

Construction of 44 dwellings, a new cricket pavilion, improved sports facilities, car parking and associated work at:

LAND AT PENTLAND GARDENS, KINGS ACRE, HEREFORD

For: PERSIMMON (SOUTH MIDLANDS LTD) PER MR. G. BROCKBANK, HUNTER PAGE PLANNING LTD., THORNBURY HOUSE, 18 HIGH STREET, CHELTENHAM, GL50 1DZ

The Central Divisional Planning Officer reported the receipt of 112 identical letters of objection from local residents. The receipt of the comments of the Landscape Officer were also reported; it was noted that the overgrown sports site had a unique assemblage of grasses and a condition was recommended for the translocation of this feature elsewhere. The Leisure Services Manager reported that the objection of Sport England had been withdrawn.

In accordance with the criteria for public speaking, Mr. Rivers spoke against the application and Mr. Brockbank spoke in support of the application.

The Central Divisional Planning Officer outlined the differences between this application and that previously submitted for residential development of 59 dwellings (CW2003/0223/F) which had been withdrawn.

The Leisure Services Manager explained the key issues in respect of sports provision, including details about: the relocated cricket facilities within the management of the adjoining Whitecross High School approved specialist sports college campus; access for the general public; financial contributions for a relocated football pitch; and the provision of a new pavilion to serve both the cricket and bowls

purposes.

The Central Divisional Planning Officer clarified that, whilst the objection of Sport England had been withdrawn, the application would need to be notified to the Secretary of State as a departure from the Development Plan.

The Local Ward Members expressed concerns about additional vehicular traffic entering the site and related highway safety issues. The Local Ward Members felt that the proposal should be refused under policies H3 (Design of New Residential Development) and H14 (Established Residential Areas) of the Hereford Local Plan.

In response to questions, the Central Divisional Planning Officer explained how pedestrians and cyclists would access the various parts of the site and how the 'home zone' traffic calming measures would operate. A number of Members commented on the need for the sports facilities to be more available to the general public and felt that any planning permission should be conditioned accordingly.

In response to questions, the Leisure Services Manager advised that an assessment carried out on behalf of the applicant stated that there was not a shortfall of sports pitches within this quadrant and, therefore, it was proposed that the replacement pitch be provided at the recreation site at Aylestone Hill. Some Members expressed uncertainty about the findings of this assessment.

In response to comments, the Local Ward Members clarified that the key local objection was that the highway network which would serve the development was inadequate and potentially unsafe.

A motion to refuse the application failed and the Sub-Committee approved the resolution detailed below.

RESOLVED:

1. That:

- i) the application is notified to the Secretary of State for the Environment, Transport and the Regions as a departure from the Development Plan;**
- ii) subject to the Secretary of State confirming that he does not intend to call it in**

The County Secretary and Solicitor be authorised to complete a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to

- 1) Provision of affordable housing (15 units comprising of 6 rented and 9 shared equity).**
- 2) A contribution of £44,000 to Trinity Primary School.**
- 3) A contribution of £50,000 towards the maintenance of the cricket pitch.**

- 4) **A contribution of £100,000 for the provision of a new football pitch off site.**
 - 5) **A contribution of £10,000 for the repositioning of the cricket square.**
 - 6) **The construction of a new cricket/bowls pavilion to Sport England's specification design guidance.**
 - 7) **The relocation and siting of play equipment and laying out of public open space together with a commuted sum for the maintenance of such areas for a period of 10 years after completion of development.**
 - 8) **Payment of the Council's legal costs in preparing the Planning Obligation**

and any additional matters and terms as she considers appropriate.
2. **On completion of the aforementioned Planning Obligation Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the receipt of suitably amended plans and no further objections raising additional material planning considerations after a reconsultation with adjoining residents and no objections being raised by Sport England.**

(NOTE:

In accordance with the Council's Constitution SO 5.10.2, Councillors Mrs. P.A. Andrews, Mrs. E.M. Bew and Ms. A.M. Toon wished it to be recorded that they voted against the resolution detailed above.)

ITEM FOR INFORMATION - APPEALS**APPEALS RECEIVED****Application No. DCCE2003/2992/F**

- The appeal was received on 14th June, 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by St Mary's PCC
- The site is located at St Mary's Church Fownhope Herefordshire
- The development proposed is Provision of new W.C. alterations to porch and associated site works
- The appeal is to be heard by Written Representations

Case Officer: Kelly Gibbons on 01432 261949

Application No. DCCW2004/0217/O

- The appeal was received on 8th June, 2004
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr. Fairbrother
- The site is located at 140/142 Kings Acre Road Hereford HR4 0SD
- The development proposed is Site for a 2 bedroom bungalow
- The appeal is to be heard by Written Representations

Case Officer: Steve MacPherson On 01432 261946

If members wish to see the full text of decision letters copies can be provided.

**DCCW2004/1290/F - PROPOSED HOUSE AT LAND
ADJACENT TO 21 GUILDFORD STREET, HEREFORD,
HR4 0DS****For: S. Berekdar per Mr. J. Phipps, Bank Lodge,
Coldwells Road, Holmer, Hereford, HR1 1LH****Date Received: 27th April 2004 Ward: St. Nicholas Grid Ref: 50176, 40237****Expiry Date: 22nd June 2004**

Local Members: Councillors Mrs. E.M. Bew and Miss F. Short

This application was deferred by Members at the Sub-Committee meeting on the 2nd June 2004 for a Committee site visit. The site visit took place on the 14th June 2004.

Members are aware a verbal update was given at Committee, a petition from the St. Nicholas Community Association has been received objecting to the proposal containing 36 signatures. Two further letters have also been received since the drafting of the original report, one from 55B Whitecross Road objecting to the scheme on the grounds of restriction on natural sunlight and loss of view, impact on car parking and the view that the new house design would not be keeping with the character of the area.

A letter of support has also been received from the current owners of the site, they detail that the garages were placed on the open market in early 2003 either as a whole or individual and no-one from the locality showed any interest in purchasing one or more of the garages. Only the current applicant and one other potential purchaser showed any interest in the garages on the grounds of development opportunity. They state that the garages are used solely for storage by the owners and to use them for the parking of a modern car although it is possible, this is extremely difficult and at times due to on-street parking users are unable to remove the car parked from the garage. The current owner comments on the letters of objections received on the basis that they disagree that the adding of another house in the area would make parking issues worse, issues of loss of view although not a planning issue a sympathetic designed house would be an improvement to the current deteriorating garages, although the garage in front of the garages is currently used as an informal passing place, a fence could be erected/barrier which would have the impact that private land that the highway would have to be used for vehicular movements, they agree with Herefordshire Council Planning Officers in saying that amenity land is a purchasers issue and not a planning one as some people do not wish to have gardens, during construction Guildford Street should not be adversely affected as the area to be used for car parking once the scheme is erected could be used for storage of materials etc. The current owners state having lived in the area for nearly 5 years disagree with the objections raised and argue the view that new residents would enhance the street.

The full text of these additional letters/representations can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford prior to the Sub-Committee meeting. In all other respects the report remains unaltered to that presented to the Central Area Planning Sub-Committee on the 2nd June 2004.

1. Site Description and Proposal

- 1.1 The application site lies to the northern end of Guildford Street adjacent to the boundary with No. 21. The site is bound to the north by the small area of amenity space to No. 55 Whitecross Road, a dwelling currently sub-divided into flats. Amenity space to No. 57 Whitecross Road abuts the rear, whilst Guildford Street runs parallel to the eastern boundary. The majority of dwellings on Guildford Street are terraced and built close to the pavement edge creating a dense and close knit residential environment and well enclosed streetscape.
- 1.2 Existing buildings on site comprise four deteriorated lock-up garages, set back approximately 2.9 metres from the edge of the highway and extending the full width of the site. The garages are of brick built construction with mono-pitch roof and it appears that they have been used for storage rather than the garaging of vehicles for some years.
- 1.3 The application is for the demolition of the garages and erection of a single two bedroom dwelling. The proposed dwelling would measure 6.5 metres to the ridge, have an overall width of 7 metres and measure 6 metres in depth. A parking area is indicated to the side elevation, adjacent to the rear boundary of No. 55 Whitecross Road providing off-street provision for two vehicles.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
- PPG3 - Housing

2.2 Hereford Local Plan:

- Policy ENV14 - Design
- Policy H3 - Design of New Residential Development
- Policy H12 - Established Residential Areas – Character and Amenity
- Policy H13 - Established Residential Areas – Loss of Features
- Policy H14 - Established Residential Areas – Site Factors

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy S1 - Sustainable Development
- Policy S2 - Development Requirements
- Policy S3 - Housing
- Policy DR1 - Design
- Policy H13 - Sustainable Residential Design
- Policy H14 - Re-using Previously Developed Land and Buildings
- Policy H15 - Density
- Policy H16 - Car Parking

3. Planning History

- 3.1 There is no relevant planning history.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency - the Agency would encourage a sustainable approach to the management of surface water run-off arising from the development.

Internal Council Advice

- 4.2 Head of Engineering and Transportation - "the site is in an area where there are many existing vehicular crossings of the footway that do not have room within the property to enter and leave in a forward gear. It is considered that it is possible to approve this small dwelling with similar requirements."

5. Representations

- 5.1 Hereford City Council - no objection.
- 5.2 Two letters of representation have been received from the occupiers of 55C Whitecross Road and No. 1 Guildford Street. The contents are summarised below:
- ° The view from the flats would be impaired. A large amount of light would be lost and privacy adversely affected.
 - ° Adding another house would make the parking problem in the area worse.
 - ° The area in front of the garages is used as a passing place on what is a narrow road.
 - ° Further proposals may be forthcoming on the land set aside for parking.
 - ° The house has no private amenity space and would be unsuitable as a family dwelling.
 - ° During construction, Guildford Street will become inaccessible.
 - ° The proposal would permanently degrade the character of the street.

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 this case are the impact of the proposals on the character and amenities of the area and highway safety.
- 6.2 The application site lies within the established residential area where residential development can be appropriate as a matter of principle. The site presently supports four lock-up garages and redevelopment would therefore constitute the reuse of previously developed land and buildings in accordance with Central Government Guidance and emerging Unitary Development Plan policy.

- 6.3 Policy H12 requires the environmental character and amenity of the established residential areas to be protected and, where appropriate, enhanced. Policies H13 and H14 set out specific criteria requiring in particular, appropriate relationships between proposed and existing dwellings, adequate means of access and servicing, adequate landscaping and an appropriate impact on the overall character of the area.
- 6.4 The proposal before Members is a revision of the original scheme submitted. The principal amendments are a reduction in the ridge height and rear eaves height of 200mm and 600mm respectively, the introduction of quoin block detail and the rendering of the north elevation. Members will note that in the interest of the protection residential amenity there are no window openings proposed to either the rear or north elevations.
- 6.5 It is accepted that the site is limited in terms of plot size, and the resulting dwelling would offer relatively modest accommodation. Furthermore, it will be noted that there is no provision of private amenity space to the proposed dwelling. However, this consideration has been held at appeal to constitute an issue for prospective purchasers rather than the local planning authority. Overall, the relationship between the proposed and existing development is commensurate with other developments in the city and considered acceptable given the local context.
- 6.6 On issues of parking, guidance suggests a maximum of 1.5 spaces per unit with no minimum standard. In this instance the Head of Engineering and Transportation considers the provision of two off-street parking spaces in the location proposed to be acceptable, notwithstanding the fact that access and egress could not be undertaken in forward gear. Furthermore, it is considered that the provision of a parking area in this location would provide a break between built forms and retention of the existing space around buildings.
- 6.7 Due to current on-street parking and limited turning area it is not always possible to utilise the garages for the housing of vehicles. As a consequence it is considered that their removal and the provision of two off-street spaces would not exacerbate the current parking problem.
- 6.8 In conclusion, this proposal is considered to comprise a modest but appropriate form of development within the current policy context, compatible with surrounding development and in keeping with the general character of the area in accordance with Planning Policy Guidance Note 3 – Housing.

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. A09 (Amended plans).**

Reason: To ensure the development is carried out in accordance with the amended plans.

3. B01 (Samples of external materials).

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

4. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

5. E18 (No new windows in specified elevation) (north and west elevations).

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

6. H01 (Single access - not footway).

Reason: In the interests of highway safety.

7. H06 (Vehicular access construction).

Reason: In the interests of highway safety.

8. H10 (Parking - single house).

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

9. H27 (Parking for site operatives).

Reason: To prevent indiscriminate parking in the interests of highway safety.

10. E16 (Removal of permitted development rights).

Reason: To enable the local planning authority to maintain control over extensions and alterations in the interests of residential amenity.

11. G01 (Details of boundary treatments).

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

Informatives:

1. HN01 - Mud on highway.

2. HN04 - Private apparatus within highway.

3. HN05 - Works within the highway.

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

DCCW2004/1308/RM - A NEW SECONDARY SCHOOL (1 SINGLE AND TWO 2-STOREY TEACHING BLOCKS) WITH ASSOCIATED SPORTS FIELDS, HARD COURTS, CAR PARKING AND ASSOCIATED LANDSCAPING AT VACANT FIELD, ADJACENT TO THREE ELMS ROAD, NORTH OF BONINGTON DRIVE, WHITECROSS, HEREFORD

**For: Whitecross @ Stepnell per Haverstock Associates,
10 Cliff Road Studios, Cliff Road, London, NW1 9AN**

Date Received: 28th April 2004 Ward: Three Elms Grid Ref: 48841, 41417

Expiry Date: 23rd June 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 consists of 6.75 hectares of open agricultural land on the western side of Three Elms Road, Hereford. To the east and north the site is bounded by areas of protected open countryside and the Yazor Brook. To the south of the site the established residential areas on Bonington Drive and Pentland Gardens. The site also adjoins the former Bulmers playing field beyond Pentland Gardens.
- 1.2 This application seeks reserved matters approval following the granting of outline planning permission under reference CW2003/2113/O on the 5th January 2004. All matters which include external appearance, means of access, siting, design and landscaping are considered as part of this application given that they were all previously reserved for consideration at the outline stage. The outline planning application was accompanied by an Environmental Statement in accordance with the Environmental Impact Assessment Regulations (1999) and included a Flood Risk Assessment, Transport Assessment and Planning Statement.
- 1.3 The detailed scheme submitted shows a full site layout with the main school buildings being sited towards the central and northern parts of the application site. Vehicular access is provided off Three Elms Road at only one point and would include a drop-off facility for school buses. Eighty seven car parking spaces are indicated which would be sited on land immediately to the north of Bonington Drive. An all weather football/hockey pitch is also proposed close to the site entrance point adjoining Three Elms Road. The main school complex is split between two linear blocks which are sited approximately 120 metres off the Three Elms Road. This setback position allows for the significant level of services, and potential flood storage area in the northeastern part of the site which adjoins Three Elms Road. The proposed school building are in the main two storeys in height and have been designed and laid out to maximise energy efficiency and sustainability from the development. The proposed buildings will be finished with a mixture of Cedar boarding and through coloured render systems to the walls and will include a Sedum roof (green roof to mitigate the loss of green open

space from the site) and also recycled aluminium standing seam roofing which will contain high insulation values as part of the sustainability agenda.

- 1.4 The main pedestrian and cycle route to the school is located immediately to the north of the all weather football and hockey pitch and is some 140 metres away from the main vehicular access to the site.
- 1.5 The layout of the site enables a significant amount of sport and playing field facilities to provide a buffer between the established residential areas to the south of the site and the main school complex.
- 1.6 The main teaching blocks are arranged as two 'T' shaped buildings to the most northern part of the site and they are largely orientated to make the best use of daylight with maximum potential to control unwanted solar gain. Each educational department would be self-contained and clearly identified through the use of colour and bold signage both inside and outside the buildings. The upper floor levels are largely for practical subjects and rooms would be well lit with studio spaces with high sloping ceilings.
- 1.7 In total the school will provide 900 new spaces for students aged between 11 and 16.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
- PPG7 - The Countryside – Environmental Quality and Economic and Social Development
- PPG13 - Transport
- PPG24 - Planning and Noise

2.2 Hereford and Worcester County Structure Plan:

- Policy CTC9 - Development Requirements
- Policy M2 - Mineral Reserves
- Policy LR5 - Public Rights of Way
- Policy A1 - Development on Agricultural Land

2.3 Hereford Local Plan:

- Policy SC6 - Permanent Educational Accommodation
- Policy CAL4 - Agricultural Land
- Policy ENV2 - Flood Storage Areas
- Policy ENV14 - Design
- Policy ENV15 - Access for All
- Policy T11 - Pedestrian Provision
- Policy T12 - Cyclist Provision
- Policy H21 - Compatibility of Non-residential Uses
- Policy NC6 - Criteria for Development Proposals
- Policy NC7 - Development Proposals – Habitat Creation and Enhancement
- Policy NC8 - Protected Species
- Policy NC9 - Infrastructure Works

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S6	-	Transport
Policy S9	-	Minerals
Policy DR1	-	Design
Policy DR7	-	Flood Risk
Policy DR13	-	Noise
Policy DR14	-	Lighting
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T14	-	School Travel
Policy NC1	-	Nature Conservation and Development
Policy NC8	-	Habitat Creation, Restoration and Enhancement
Policy CF8	-	School Proposals

3. Planning History

- 3.1 CW2002/3051/O Site for the construction of a new high school and associated playing fields - Withdrawn 4th June 2003.
- DCCW2003/2113/O Outline planning permission for the erection of a new school and associated playing fields - Approved 5th January 2004.

4. Consultation SummaryStatutory Consultations

- 4.1 Environment Agency (letter 14th June 2004) - the Agency has some concerns with regard to the details of the submitted scheme which relate to the detailed conditions set out on the outline planning permission.

Officers are currently discussing these issues with the agents and a verbal update will hopefully be given at the meeting.

- 4.2 Welsh Water - have no objection to the grant of planning permission subject to conditions.

Internal Council Advice

- 4.3 Head of Engineering and Transportation - there are no objections to the proposal in principle, however discussions have been ongoing with the applicant's agent with regard to a number of detailed issues associated with this scheme. Discussions with regard to safe pedestrian and cycle access to the site including crossings of Three Elms Road are issues which need to be satisfactorily resolved and concern is also expressed about the potential joint use of the car park of the proposed school with the cricket pitch use on the adjacent Bulmers/Persimmon Homes site which is a considerable distance from the proposed car park location.

It is hoped that an update will be given at the meeting with regard to the latest on these matters.

The proposed development affects Public Footpath HER38 and the following points should be noted. A formal application under the Town and Country Planning Act to divert the footpath will be necessary which is made separately to the application for planning permission. The Public Rights of Way Service has scheduled a meeting with the developers to discuss the proposed route that the diverted path will take. The main feature of discussion will be to minimise the additional distance the public will have to walk around the school site. The proposed diversion may be further than the public will find acceptable. The diversion order process will take around six months to complete and the developers will need to be aware that objections to the proposed route may be raised by the public that require further consideration before a Diversion Order can be confirmed.

The existing right of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public than a temporary road closure order should be applied for from this department preferably six weeks in advance of works starting.

- 4.4 Minerals and Waste Officer - the site is within the identified sand and gravel deposit of the Proposals Map for the adopted Minerals Local Plan (MLP) and the consultation draft UDP. It is not however a preferred area for extraction in either document. Policy 3 of the MLP also applies and a case could be made for the need for this school as an overriding factor which justifies planning permission being granted. In the circumstances I have no objection to this application.

It is suggested however that conditions are imposed on the approval to ensure no aggregate materials won within the site in connection with the development hereby permitted shall be removed off site. This could have environmental affects which the Local Planning Authority considers would need further assessment. It is also suggested that a condition requiring a waste audit to be undertaken from the site and reference is made to the adjoining Yazor Brook.

- 4.5 Chief Conservation Officer - there are two sets of protected trees which may be affected by this development. The site plan does not clearly identify the protected trees and this should be done to ensure the crown spread of the trees are protected and no hard surfaces are laid within these areas. It is vital that tree protection zones are established around the protected trees and conditions in this respect are suggested as well as potential amendments in the layout of the site to ensure minimum disturbance.

The detail of the application does not address some important nature conservation issues. It is suggested by the Ecologist that the Sedum roof is impregnated with wild flower seed and that bat boxes and bird boxes should also be provided on the site.

In landscaping terms it appears that only shrub planting and hedging is proposed for the northern and western boundaries. It is important that substantial planting including as many trees as possible are established on these boundaries to soften the impact of the security fencing. A landscape plan with all proposed planting is required and it should describe species, sizes and planting numbers in accordance with the Council's standard conditions.

5. Representations

- 5.1 Hereford City Council - no objection, however appropriate no waiting traffic restrictions should be applied to Three Elms Road and the approaches to Bonington Drive.
- 5.2 The Open Spaces Society - whilst it is appreciated that the footpath diversion will not have a great significance compared to the existing footpath alignment, we are uncomfortable that the proposed eastern section of its junction with Three Elms Road is much nearer Yazor Brook than at present line. As it is a flood plain, it would be far more beneficial if the path could be diverted further from the brook nearer the students' entrance off Three Elms Road. There are ramifications of access to the countryside under the Disability Act being so close to the open environment the path surface should be constructed to a high standard devoid of path furniture and suitable for wheelchairs.
- 5.3 The Ramblers' Association - it is noted that the proposed line for the diversion of Footpath 38 does appear to give a better alignment than previously shown, however concerns previously expressed are still relevant. We would request that new safe walking and cycling routes to the new school should be created as part of this application whereby they would be integrated more easily. We would also ask that the developer is aware of a legal requirement to maintain and keep clear a public right of way at all times.
- 5.4 English Nature (Herefordshire and Worcestershire Team) - English Nature does not wish to make any formal representations on this planning application.
- 5.5 Eight letters raising some issues of concern and some points of objection have been received from 35 Bonington Drive, 31 Hilary Drive, 138 Three Elms Road, 50 Bonington Drive, 33 Bonington Drive, 22 Bonington Drive, 96 Three Elms Road and Scope, First Key, Holmer Road, Hereford. The letters raise concerns which can be summarised as follows.
- Strong concerns and points of objection are raised with regard to access and transportation issues to the site. It is questioned that as many as 90% of students walk or cycle to the school and the use of Bonington Drive as a drop-off and pick-up point is a very real concern. With limited on site dropping off facilities, it is highly likely that children will be dropped on Three Elms Road or on Bonington Drive by parents. For the safety of all concerned, a pelican crossing should be required near the school entrance. This would also help slow traffic on this stretch of road. Three Elms Road is particularly busy during peak hours and with a number of children making their way to school strong concerns are expressed about the speed of the road and the ability to put enough safe crossing points to provide access.
 - A number of letters make it clear that there is no objection to the principle of the school building on site but it is the access and potential "rat run" issues which are a key concern.
 - Concerns are also expressed about potential noise and light spill particularly from the all weather pitch is proposed on site which could adversely affect the residential amenity of adjoining properties.

- Suggestions are made that bollards are used to block any access to the school from the potential break through points off Bonington Drive and Hillary Drive.
- Concerns are expressed about the proximity of the boundary of the school on its southern side to existing residential property and an emphasis should be made on new planting to screen the proposed buildings. This would also help buffer noise and light spill from the site.
- Concerns are also expressed about the potential disturbance during construction of such a large development and disturbance which would be caused to adjoining residents during that time.

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 As outline planning permission has already been granted for the principle of this development, the key issues for consideration on this reserved matters application are the siting, design, external appearance, means of access and landscaping issues which this detailed scheme addresses. As well as the reserved matters issues, careful consideration is also required with regard to the impact of the proposed development having regard to its close proximity to existing residential properties to the south of the site.
- 6.2 With regard to siting, design and external appearance, all of these issues have been given careful consideration and have been part of pre-application discussions with the agent prior to submission. It is considered that all these aspects are acceptable and will provide an attractive, educational facility as well as minimise the impact on the surrounding area. The main school building which are two storeys in height are sited towards the centre and northern parts of the application site and are clearly split into two separate elements. The siting of the block which have an almost linear position will also allow for a central courtyard and circulation area which enables effective movement between all of the facilities within the school complex. With creation courtyard landscaping, this should create an attractive environment for all users of the new school.
- 6.3 The design of the building relies heavily on the sustainable principles adopted by the agent following detailed discussions with the Education Directorate, the existing staff and pupils of Whitecross School and the local community. Through the use of coloured render, Cedar cladding and Sedum roofs, it is considered that an attractive and sustainable design has been achieved which should be welcomed by this Authority. Furthermore, when viewed from the areas of open countryside to the north the predominantly green roofs will help minimise the visual impact of the buildings and retain much of the site's existing character and appearance. A condition is suggested to ensure the highest quality materials are used in construction.
- 6.4 The transportation and access issues associated with this scheme are arguably the strongest concern expressed in the letters submitted on this application. As proposed vehicular access to the school site will be obtained from just one position at the site's southeastern corner off Three Elms Road. The new traffic junction would give access to a car park for 87 vehicles and provide drop-off facilities including a bus drop island. The southern boundary of the site as previously mentioned is that closest to private residential properties, however with appropriate boundary treatment and landscaping,

it is not considered the access and drop-off facilities are unacceptable in the position indicated. Some concerns have been expressed by the Transportation Manager with regard to emergency vehicular access to the site should that be necessary and also the capacity of the layout as submitted to accommodate the likely traffic generation indicated in the Transport Assessment. These issues are currently being discussed.

- 6.5 Cycle and pedestrian access to the school site would be provided in a more central location but again it is intended that only one point of access will be provided. Whilst the internal circulation and pedestrian access points within the site are considered acceptable, there is clearly an issue of safe crossing points on Three Elms Road which needs to be addressed. Given that the outline application did not consider transportation issues, this reserved matters proposal must adequately deal with this issue, as this is a strong concern for all parties to address. Again, the Transportation Manager is in discussion with the applicants with regard to two potential safe crossing points for Three Elms Road and this matter must be satisfactorily resolved in order for planning permission to be granted.
- 6.6 Strong concerns have been expressed by residents about potential pedestrian and cycle access off Bonington Drive and the fact that this may encourage a "rat run" to develop. From the school's perspective who would prefer one sole point of access to the site which can be monitored primarily for security reasons. Whilst normally the Local Planning Authority would seek to provide the maximum pedestrian and cyclist access points to a development of this size, the overriding security and safety issue associated with the school use must carry significant weight in this instance and as such it is not intended that any pedestrians or cyclists will access the site from Bonington Drive (to the south) despite the fact that this arguably would be a safer point of entry for those modes of transport.
- 6.7 On balance there is no objection to the principle of the access and transportation issues as set out in this scheme, however it is vitally important that safe pedestrian access is provided on Three Elms Road and that the necessary alterations are made to the car park and dropping off facilities to ensure the site operates effectively.
- 6.8 On the issues of landscaping and ecology, Members will note the Chief Conservation Officer's comments with regard to several trees with specific Tree Preservation Orders. These issues are currently being addressed with the applicant's agent, and it is not considered that they raise insurmountable problems. It would however appear that the tennis courts and netball and basket ball courts will need to be moved further from the site's southern boundary to ensure minimum disturbance to one of the protected trees. It is also considered important by both the school and the Council's Ecologist that nature conservation enhancement should occur from this scheme. Conditions can adequately address this issue in this instance.
- 6.9 On the wider landscaping issues, given the site's prominent location a high quality landscaping scheme is required from this development. Most notably boundary planting will be integral to providing a soft edge when viewed from surrounding areas. With regard to the site's southern boundary, this is particularly important as it will reduce the visual impact of development for the existing residential properties to the south which will provide both visual and assist in noise attenuation, particularly when the sports facilities are in use. Again, a condition can satisfactorily control this issue.

- 6.10 A further concern expressed by local residents relates to potential light spill and noise disturbance from the sports facilities which may also be in use through the weekend and early evening bearing in mind the community aspects of this PFI project. No details have been supplied with regard to potential floodlighting, most notably for the all weather pitch which is in close proximity to both Three Elms Road and residential properties to the south and east of the site. The Council's Environmental Health Officer will consider carefully these issues and planning conditions will be imposed should permission be granted at this time to ensure the minimal disturbance occurs to adjoining properties. With the sports and recreation facilities primarily taking place along the southern boundary and on the western side of the site, this should provide a good buffer between the residential areas and the main hub of the school activity. Officers consider that the site's layout having regard to the constraints associated with the site do achieve the best possible solution in this respect, however conditions will still need to carefully address a number of detailed issues to minimise any associated impact.
- 6.11 At the outline planning stage a Flood Risk Assessment was submitted at the request of the Environment Agency and was also considered by the Council's own Drainage Engineer. As Members will note the Environment Agency have raised some concerns on the detail of this scheme as submitted, and Officers are seeking to address these issues at the present time. It should be noted that there is no objection in principle to the development but it is vitally important that the necessary works are undertaken to ensure the minimum risk of flooding both on the site itself and further along Yazor Brook which runs through the north-eastern corner of the site.
- 6.12 The existing public footpath which runs diagonally across the site will need to be relocated under the relevant legislation and the Council's Public Rights of Way Section are in discussion with the applicants on this matter. The comments of all the consultees in this respect have been noted and this issue should not prevent an approval of this scheme at this time.
- 6.13 In conclusion, it is considered that the scheme as submitted is acceptable in principle subject to the outstanding issues being satisfactorily resolved. Most notably these include the access and transportation issues which are of critical importance having regard to the need for pedestrian and cyclists safety issues to be addressed. Furthermore, the landscape issues associated with the Tree Preservation Order and the additional information required to satisfy the Environment Agency should also be satisfactorily addressed prior to the issuing of a decision but these issues are not considered insurmountable or which would warrant a refusal of the scheme.
- 6.14 In view of the above subject to the receipt of the additional information required and any minor alterations in the layout of the site, Officers recommend this reserved matters application for approval.

RECOMMENDATION

Subject to the receipt of further information and any required additional amended plans, Officers named in the Scheme of Delegation to Officers be authorised to approve this reserved matters application following any necessary reconsultation with conditions as considered necessary by Officers.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

**DCCW2004/0933/F - PROPOSED TWO STOREY
DETACHED DWELLING WITH INTEGRAL GARAGE AT
LAND ADJACENT TO DORGAR, SHELWICK,
HEREFORD, HR1 3AL**

**For: Mr. & Mrs. E.M. Brimfield, Dorgar, Shelwick,
Hereford, HR1 3AL**

**Date Received: 15th March 2004 Ward: Burghill, Holmer & Grid Ref: 52067, 42992
Lyde**

Expiry Date: 10th May 2004

Local Member: Councillor Mrs. S.J. Robertson

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 2nd June 2004 in order that Members could undertake a site visit, held on 14th June 2004.

1. Site Description and Proposal

- 1.1 The application site is located at the western edge of the settlement of Shelwick which is approximately 1.5 kilometres to the north-east of Hereford. It currently comprises the side garden area of an existing bungalow "Dorgar" and adjoins the eastern boundary of Shamrock which is a detached two storey dwelling.
- 1.2 The proposal seeks full planning permission for the erection of a two storey detached dwelling which will be sited in a "gable on" position to the road adjoining Dorgar. As submitted the building contains two bedrooms on the first floor and would be sited three metres away from an existing side wall of the applicant's bungalow. The proposed dwelling measures 7.1 metres to the ridge and also contains an integral garage. Access and parking would be provided via a new entrance point created adjoining an existing access which serves Shamrock immediately to the west of the site. The site itself is also in a slightly elevated position and given its relatively narrow width the garden areas will be provided primarily to the front and rear of the property.

2. Policies

2.1 South Herefordshire District Local Plan:

Policy GD1 - General Development Criteria
Policy SH10 - Housing in Smaller Settlements

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1 - Sustainable Development
Policy S2 - Development Requirements
Policy S3 - Housing
Policy H7 - Housing in the Countryside Outside Settlements

3. Planning History

- 3.1 CW2002/3292/F Erection of a detached dwelling - Refused.
CW2003/0421/F Two storey detached dwelling with integral garage (revised scheme) - Refused 31st Mach 2003.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency - The Agency has no objections to the proposed development but wishes to make the following comments. The applicant should ensure that land proposed for soakaway has adequate permeability in accordance with BS 6297 : 1983. The developer must ensure the existing private foul drainage system can adequately accommodate the likely increase in foul flows. The foul drainage system should be sited so as not to cause pollution of any watercourse, borehole, spring or groundwater. Any waste excavation material or building waste generated in the course of development should be disposed of in accordance with Section 34 of the Environmental Protection Act 1990.
- 4.2 Dwr Cymru Welsh Water have no comment to make on the application given the use of a private foul water treatment system.

Internal Council Advice

- 4.3 Head of Engineering and Transportation recommends a condition ensuring parking and turning facilities for two cars are available on site.

5. Representations

- 5.1 Holmer Parish Council - no objections. However would like details of drainage as no sewer or private sewer plant is available.
- 5.2 Two letters of objection have been received from G.E. Walwyn, Peppercorn, Shelwick, Hereford and Mr. & Ms. Stinton, Shamrock, Shelwick, Hereford. Objections raised on the following points.
- ° This application is no different to the previous which have been refused and would lead to a cramped form of development which is out of keeping with the area. The erection of a dwelling here would be ugly on the eye and would be unpleasant for neighbouring properties, it would be overlooked.
 - ° One letter raises concerns about a potential boundary dispute with the application site, however this is not a material planning issue.
 - ° The proposal would lead to additional traffic and the road through the village is being used more and more as a rat run from Holmer to Sutton St. Nicholas.
 - ° The application will be contrary to planning regulations regarding the density of dwellings in rural areas and therefore out of character.
 - ° The sewerage system owned by Mr. Powell has been problematic. In fact Mr. Powell has requested users take over the ownership of the system. Further connection to this private system is unauthorised.

- ° In our opinion the proposal should be refused on several grounds. This is a rural area overlooking fields and meadows and the applicant has already built a bungalow on the site.

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 key issues in this application are the principle of new residential development in this location, the design and siting of the proposed dwelling having regard to the character and appearance of the area, residential amenity of adjoining properties and the highway safety.
- 6.2 With regard to the principle of development Shelwick is identified under Policy SH10 of the South Herefordshire District Local Plan and listed as a small settlement. Whilst there is no settlement boundary contained within the Plan, it is considered that this site is just within the main built up part of the village where Policy SH10 would apply. Whilst accepting the site is within a settlement, it does not automatically follow that permission should be granted for development. The policy also requires that each of the eight criteria listed should be complied with prior to the granting of permission.
- 6.3 In the case of the application site, it is considered that it represents an attractive part of the village and is located on the edge of the settlement. At present it forms a raised garden area for Dorgar which is one of many dwellings which have been erected in recent years on both the north and south sides of the main road through the settlement. The area around the application site does however retain a much more rural character and appearance than the central part of the village. Furthermore, it should be noted that the linear group of dwellings to the north of the road are not mirrored on the south side adding to a particularly rural feel in this part of Shelwick.
- 6.4 Having regard to the width of the plot and the appearance of the proposed development, it is considered that this proposal will fail to meet the criteria set down by Policy SH10 and that the development would be of a scale and character not appropriate to this particular location. The resulting building would dominate the existing bungalow and give a cramped and unsympathetic appearance to the locality. Furthermore, approval should only be given under Policy SH10 where it can be clearly demonstrated that there is a local need for the development and that it would be sustainable in terms of reducing the need to travel. Whilst the South Herefordshire District Local Plan is time expired (1996-2001), the policy is still applicable and this issue has not been addressed.
- 6.5 Whilst the size and scale of the dwelling proposed have been significantly reduced from previous refusals on this site, the restrictive width of the plot leads to a "gable on" layout. The dwelling would also be a considerable higher structure than Dorgar which is a bungalow and having regard to the close proximity of the two properties, it would undoubtedly appear cramped, out of scale and unsympathetic in this attractive rural area.
- 6.6 In view of the above, whilst the site in theory represents an infill location the proposed two storey detached dwelling represents an unacceptable form of development which would cause harm to the attractive character and appearance of the immediate locality and would have a cramped and overbearing appearance on the existing dwelling.

RECOMMENDATION

That planning permission be refused for the following reason:

The proposed dwelling represents a revised scheme to a previous refusal of planning permission under reference CW2003/0421/F. Notwithstanding the design alterations which reduce the overall size and height of the proposed unit, in accordance with adopted Policies SH10 and GD1 of the South Herefordshire District Local Plan, the proposed development is not acceptable. By virtue of its siting, design and scale the dwelling would have a cramped and overbearing appearance which would result in an over development of the application site. Furthermore, having regard to the site's location close to the edge of the settlement of Shelwick the proposal would cause harm to the attractive rural character and appearance of the area.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

DCCE2004/1340/F - CONVERSION OF DETACHED HOUSE INTO 4 NO. SELF CONTAINED LUXURY APARTMENTS WITH GARAGING AND PARKING AT CRESCENT HOUSE, 15 JUDGES CLOSE, HEREFORD, HR1 2TW

For: Mr. R. Deverill per Design & Project Services, 41 Widemarsh Street, Hereford, HR4 9EA

Date Received: 13 April 2004

Ward: Aylestone

Grid Ref: 52242, 40268

Expiry Date: 8th June 2004

Local Members: Councillors D.B. Wilcox and A.L. Williams

1. Site Description and Proposal

- 1.1 The application site is a large detached dwelling located at the centre of an estate of modern detached dwellings known as Judges Close. The dwelling known as Crescent House is currently a single unit of accommodation set within a reasonably large residential curtilage. Members previously approved a granny annexe that is linked by condition to this dwelling. Access is gained from Judges Close with a driveway leading to the dwelling. There are two double garages plus off road parking alongside the existing driveway giving approximately 10 off road car parking spaces. The property is a classical Victorian property, it is not Listed nor does it lie within a Conservation Area.
- 1.2 The proposal is to convert the existing dwelling into four two-bed units of accommodation. Each unit would comprise two bedrooms, two bathrooms, lounge, kitchen / dining area with shared lobby. Residents would share amenity space and the plans show no subdivision of the garden area. The proposed plans also indicate that the car parking would be allocated at two spaces per unit plus a number of spaces for visitors. The only external alterations include a new window to the side elevation at ground floor level.

2. Policies

- 2.1 Planning Policy Guidance:
PPG1 – General Policy and Principles
PPG3 – Housing
PPG13 – Transportation
- 2.2 Hereford City Local Plan
H12 – Established Residential Areas – Character and Amenity
H17 – Conversion of houses into apartments
- 2.3 Hereford Unitary Development Plan (Revised Deposit Draft)
H17 – Subdivision of existing housing

3. Planning History

- 3.1 CE2003/2639/F - Convert existing outbuildings to annexe apartment. Approved with conditions 1 December 2003.
- 3.2 CE2003/0921/F - Replacement of conservatory, reconstruction of outbuildings and provision of gates and gateposts. Approved with conditions 12 May 2003.
- 3.3 CE2003/3615/F - Extension to existing flat roofed garage. Approved with conditions 17 January 2003.
- 3.4 CE2002/0977/F - Proposed extension to existing garage. Approved with conditions 7 May 2002.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water - has no objections subject to conditions to ensure that foul and surface water is drained separately from the site and that surface water is not connected to the mains sewerage system.

Internal Council Advice

- 4.2 Head of Engineering and Transportation. No objection.
- 4.3 Chief Conservation Officer notes the proximity of trees covered by Tree Preservation Orders and concludes that providing that the existing areas of hard standing are not extended, it does not appear that the development will have any impact on the protected trees.

5. Representations

- 5.1 Hereford City Council: suggest a site visit to consider possible aesthetic compatibility with locality.
- 5.2 The application contained a supporting statement, summarised as follows:
 - This approach would enable most of the internal decorative features to be retained with the only external alteration being one window to the southern elevation.
 - In accordance with policy H12 the proposed scheme ensures that the residential area is protected and the principles of policy H17 are fully satisfied.
 - The standard accommodation comprises 4 No. two bed, 2 bath luxury apartments providing living space (excluding garage) of 1380 sq. ft. plus 550 sq. ft. cellar storage, 1430 sq. ft., 1345 sq. ft. plus 970 sq. ft attic storage and 755 sq. ft. of attic storage. These are significant properties in their own right that will provide large living accommodation comparable to modern houses and bungalows within the setting of Judges Close.
 - There would be no need for a new access and garage and off road car parking is available for residents and visitors.

- The plans take into account those trees with TPO's.
 - Whilst there may be concern relating to the change of status of the property in the sensitive residential scheme, it is believed that the scheme meets the planning criteria and, in so doing, would ensure that level of accommodation and amenity that would remain consistent within its setting.
- 5.3 Six letters of representatin have been received from No.'s 10, 11, 21 (x2), 34 and 38 Judges Close. The relevant planning matters that are raised in the letters are summarised as follows:-

Alternative solutions and use of building

- Concern over the loss of locally historic building
- Suggestions that building be split into units horizontally or vertically
- Concern that further divisions are not made for student accommodation / house in multiple occupation
- Letters from numbers 11, 34 and 38 note that whilst it would be preferable for the dwelling to remain as one unit, they accept the division into four apartments subject to the retention of the existing external appearance. They do, however, voice concern over further divisions and higher densities of accommodation.

Vehiclular traffic / safety / road congestion

- Impact of potential increase in traffic movements within the confines of Judges Close that could lead to congestion, noise, disturbance, air pollution, road damage and potential for accidents having regard to the road layout.
- Highway safety implications due to restricted entrance.

Waste disposal

- Concern over lack of designated area for bin storage for four apartments
- Bin storage area should be within confines of the site to prevent spillage onto the road.

Impact on trees / quality of area

- Concern over potential loss of trees due to extended parking area and impact on "ambience of the area".
- Concern over maintenance of trees / gardens and communal areas.

Drainage

- Capacity of existing sewerage system to take potential increse of users.
- Query maintenance of existing / shared drainage.

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

6. Officers Appraisal

- 6.1 The main issues for consideration in assessing this application relate to the requirements of Policy H17 of the Hereford Local Plan. This states:

"In considering the conversion of dwellings to smaller, self contained units of accommodation, regard will be paid to:

- a) the standard of accommodation to be provided;
- b) the adequacy of car paring provision and access arrangements;

- c) the impact on the character of the property, the amenity and privacy of neighbouring dwellings and amenity and general character of the area.

The environmental character and amenity of the Established Residential Area should also be considered.

- 6.2 The application is for the subdivision of the building into four two bed apartments. Although two bedroom units may be smaller in scale than many of the detached dwellings surrounding Crescent House, the provision of units of this size within an existing dwelling would not be uncharacteristic of such areas. Planning Policy Guidance Note 3 also states that conversion of housing can provide an important source of additional housing and that local planning authorities should adopt positive policies to promote such conversions. The provision of smaller units of accommodation of this type, for which there is a demand locally, is considered an acceptable level of accommodation.
- 6.3 It is accepted that the use of the building as four units instead of one is likely to generate an increase in traffic and movements, however the proposals do not include any alterations to the existing access. The Head of Transportation and Engineering raises no objection to the scheme and it is therefore considered that the access is adequate in its current form to provide safe access onto the highway without being detrimental to other highway users or pedestrians.
- 6.4 Car parking provision within the site is acceptable, with a minimum of two spaces per unit. There is some concern regarding the creation of an additional hard surface to the right of the driveway and this is unlikely to be acceptable. But, even with the removal of this small area of parking space, there is ample provision for two spaces per unit (plus visitor parking) to be accommodated within the existing garage space and hard surfaced areas to the left of the driveway. A condition requesting detailed allocation of parking spaces and its retention in the future is proposed. This should prevent indiscriminate parking on the highway.
- 6.5 Although the property is visible from Judges Close, it is relatively secluded and screened by the boundary of mature trees, hedgerows and walls. The only external alteration is a ground floor window of the southern elevation. This would not be intrusive upon the neighbouring property and would be in scale and keeping with the existing dwelling.
- 6.6 The consideration is therefore how the development would affect the character of the surrounding area. Four two bed units would not significantly increase the numbers of people and movements to the property than if the current five bed property was lived in to capacity. Whilst it may generate additional traffic, levels of movement would be unlikely to be detrimental to the living conditions and general amenities currently enjoyed by the residents. The garden area is not shown to be divided and would be a communal amenity space; hence the external appearance of the building and its curtilage would remain unaltered except for additional parked cars. These cars would be obscured from view from Judges Close by the existing boundary treatments.
- 6.7 The letters of objection also raise a number of issues relating to waste disposal, drainage and the protection of trees. A condition is proposed to control the provision and an area for storage of waste within the curtilage of the site. Likewise, conditions requested by Welsh Water, relating to drainage, have also been proposed. As there are no further external works proposed, the trees that are protected on this

site would not be affected. The letters of representation also queries the intended sale or rental of the apartments. This is a material planning matter.

- 6.8 Whilst local residents would like to retain the use of this former Judges House as one dwelling, the application for four apartments has been submitted and the proposal and its impact must be considered in relation to the policies of the local plan and government policy. No further subdivisions should be made without the benefit of planning permission.
- 6.9 To conclude, the proposed conversion of this five-bed house to four two-bed apartments would provide an adequate level of accommodation with sufficient car parking and access provision. The level of accommodation proposed would not alter the character of the surrounding area have a detrimental impact on the living conditions of the surrounding residents. As such, the division of the property from one dwelling to four apartments is considered to be in accordance with Planning Policy Guidance Note 3 – Housing and the criteria of policies H12 and H17 of the Hereford Local Plan.

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 Prior to the commencement of development and notwithstanding the detail shown on the approved plan, a plan showing the allocation of car parking spaces for residents and visitors shall be submitted to and approved in writing by the local planning authority. These spaces shall be demarcated in a method to be submitted to and agreed in writing by the local planning authority. These spaces shall be retained thereafter and kept available for those uses at all times.

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

4 The development hereby permitted shall not commence until a plan showing an area within the application site for the storage of refuse has been submitted to and approved in writing by the local planning authority. The approved area for the storage of refuse shall then be used and retained thereafter free of any impediment to such use.

Reason: To ensure adequate provision for the storage of refuse from the dwelling in the interests of amenities of nearby residents.

- 5 Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the Public Sewerage System.

- 6 No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage 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.

- 7 No land drainage run off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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

- 8 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

Informatives:

- 1 If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.

- 2 The decision to grant planning permission has been taken having regard to the policies and proposals in the Herefordshire Unitary Development Plan and the Hereford Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

Planning Policy Guidance:
PPG1 - General policy and principles
PPG3 - Housing
PPG13 - Transportation

Hereford Local Plan

H12 - Established residential areas - character and amenity
H17 - Conversion of houses into apartments

Herefordshire Unitary Development Plan (Revised Deposit Draft)

H17 - Subdivision of existing housing

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

**DCCW2004/0950/F - PROPOSED REDEVELOPMENT
TO INCORPORATE 7 RETAIL UNITS AND 14
RESIDENTIAL UNITS AT BOWLING GREEN CAR
PARK, BEWELL STREET, HEREFORD**

**For: Berekdar Enterprises per Jamieson Associates,
30 Eign Gate, Hereford, HR4 OAB**

Date Received: 31st March 2004

Ward: Central

Grid Ref: 50887, 40070

Expiry Date: 26th May 2004

Local Member: Councillor D.J. Fleet

1. Site Description and Proposal

- 1.1 The application site is located on the north side of Bewell Street in the heart of the Hereford Central Conservation Area. It is bounded to the west by the Bowling Green Public House, to the north by Hereford Bowling Green and to the east by the service yard belonging to Primark. The south of the site adjoins Bewell Street and is directly opposite All Saints Church which is a Grade II* Listed Building. The site itself has a gross area of 0.074 hectares and is currently used as a private car park for 30 vehicles although this use has not been formalised in terms of surface and boundary treatment or landscaping.
- 1.2 The application seeks full planning permission for the erection of a four storey building which will contain 7 retail units on the ground floor and 14 one and two bedroomed apartments above. The fourth floor would contain two penthouse apartments which are set back from the main building lines and will be covered with a "gull wing" style of roof. As indicated the building would be finished with a mixture of limestone cladding and coloured render to the walls with a standing seam roof. The facades of the building would also contain elements of horizontal western red cedar rain screen cladding, powder coated aluminium windows and doors and glass and stainless steel balustrading. At its highest point (to the top of the penthouses) the building is 12.3 metres high, however the main block adjoining the Bowling Green Inn measures 9.4 metres in height which is similar to that of the ridge line of the public house.
- 1.3 As submitted there is no provision for any car parking or service delivery areas associated with the development.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
PPG3 - Housing
PPG6 - Town Centres and Retail Development

2.2 Hereford and Worcester County Structure Plan:

- Policy CTC5 - Development affecting Archaeological Sites

- Policy CTC15 - Preservation, Enhancement and Extension of Conservation Areas
- Policy S1 - Criteria for Retail Development

2.3 Hereford Local Plan:

- Policy ENV14 - Design
- Policy Env15 - Access for All
- Policy ENV16 - Landscaping
- Policy ENV17 - Safety and Security
- Policy H23 - City Centre Residential Accommodation
- Policy S1 - Role of Central Shopping Area
- Policy S2 - Retail Development within the Central Shopping Area
- Policy S3 - Bewell Street – Site for Small Scale Retail Development
- Policy CON2 - Listed Buildings – Development Proposals
- Policy CON3 - Listed Buildings – Criteria for Proposals
- Policy CON12 - Conservation Areas
- Policy CON13 - Conservation Areas – Development Proposals
- Policy CON14 - Planning Applications in Conservation Areas
- Policy CON18 - Historic Street Pattern
- Policy CON19 - Townscape
- Policy CON20 - Skyline
- Policy CON35 - Archaeological Evaluation
- Policy CON36 - Nationally Important Archaeological Remains
- Policy CON37 - Other Sites of Archaeological Interest
- Policy CON39 - Enhancement
- Policy T5 - Car Parking – Designated Areas
- Policy T6 - Car Parking – Restricted Areas

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy DR1 - Design
- Policy DR2 - Land Use and Activity
- Policy DR3 - Movement
- Policy DR4 - Environment
- Policy S1 - Sustainable Development
- Policy S2 - Development Requirements
- Policy S3 - Housing
- Policy S5 - Town Centres and Retail
- Policy S6 - Transport
- Policy S7 - Natural and Historic Heritage
- Policy TCR1 - Central Shopping and Commercial Uses
- Policy TCR2 - Vitality and Viability
- Policy TCR8 - Small Scale Retail Development
- Policy T11 - Parking Provision
- Policy T12 - Existing Parking Areas
- Policy HBA4 - Setting of Listed Building
- Policy HBA6 - New Development within Conservation Areas
- Policy HBA8 - Locally Important Buildings

3. Planning History

- 3.1 SC990342/PF Erection of 5 no. retail units with 5 no. flats over. Approved 9th September 1999.
- 3.2 SC990343/LE Demolition of shop. Conservation Area Consent 8th September 1999.
- 3.3 CW2000/2193/F Minor amendments to 5 no. two storey accommodation units on first and second floor and substitution of 3 no. 1-bed wheelchair accessible units for 5 retail units, previously approved (SC990342PFW). Refused 9th October 2000.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency - the Environment Agency has no objection to the proposed development. Comments are also made with regard to sustainable drainage arrangements in an urban environment.
- 4.2 Welsh Water - has no objection to the grant of planning permission subject to conditions.
- 4.3 English Heritage - English Heritage would welcome the development of this site in principle and we would consider that the development proposed would achieve a significant townscape benefit for a nondescript part of Bewell Street. Accordingly English Heritage would judge that the proposed development would enhance the character and appearance of the Hereford Central Conservation Area. For the same reasons and in light of the analysis above the development would also improve the setting of All Saints Church, a Grade II* Listed Building and we consider that these benefits are successfully realized by the proposed design. We do have some reservations over materials and while we would not disagree with the principle of the materials suggested, would suggest that that detail is carefully considered by the Local Planning Authority.

Internal Council Advice

- 4.4 Head of Engineering and Transportation - has no objections to the proposed development.
- 4.5 Head of Environmental Health and Trading Standards - have no objection to the development subject to conditions regarding hours of operation and details of any fixed ventilation, refrigeration or other plant to be installed being submitted prior to its installation.
- 4.6 Chief Conservation Officer - has no objections subject to conditions ensuring satisfactory materials for the whole development are submitted to and approved in writing by the Local Planning Authority.

5. Representations

5.1 Hereford City Council - the City Council are very unsupportive of the proposed development. It is considered to be architecturally unfriendly to neighbouring properties, negates the presence and access to the historic bowling club and would prevent vehicular access to the bowling club for all purposes. It overdominates the locality and adjacent listed buildings, all within the original City Wall and it is essential that a site visit takes place.

5.2 Fifteen private letters of objection have been received on the proposed development. Four separate identical petitions provided by Hereford Bowling Club have also been submitted which in total contain 158 signatures.

One letter of observation and comments has also been submitted which does not raise objections.

5.3 The objections raised relate almost solely to the access arrangements associated with this site and primarily the obstruction of the existing access to the bowling green. It is pointed out that the bowling club in this city centre location was established in 1484 and was the first or second built in the country and as such is of historical interest to the City of Hereford. The club brings an enormous amount of interest to Hereford from visiting teams of bowlers and the general public and so in turn provides hotels with trade etc. It is essential that the club maintain access to the green for vehicles to enable maintenance contractors to access the site as well as players, social members and visiting teams from all over the country.

5.4 Hereford Bowling Club point out that the land of the application has never been the bowling green car park. The car park which our members used is behind our boundary wall at the rear of the development site and access to it is across the development site via the green sliding doors in the boundary wall. This has been the situation for the past 20 years when a garden at the bowling club was converted into a small car park. During this time we have paid rent to various owners of the development site for access.

5.5 The bowling club go on to state there is no provision in the proposed development to maintain vehicular access for our members despite repeated assurances from the developer over the past few years to the contrary. The only entrance to the club premises and bowling green would be via our front door in Bewell Street. The maintenance of the green often involves contractors who bring machinery which is too large and too heavy to take through the club house itself and as such we will be unable to maintain the green to the standard required by the County and National Bowling Associations. In essence the bowling green would be landlocked.

5.6 Philip Morris on Widemarsh Street also object to the development and point out as the bowling club do that their own emergency exit from the rear of the premises leads onto the bowling green which would be landlocked. Furthermore, wheelchair access to the green is only possible via the development site and not through the club house.

5.7 The bowls club go on to state that the blocking of this vehicular access point would prevent medical emergency vehicles arriving on site should they be required and would mean that they were unable to remove paraphernalia such as green refuse bins from Bewell Street which would result in harm to the Conservation Area. Furthermore, the

height of the development means there will be a loss of sunlight, possible implications for the grass on the bowling green and the green would be overlooked.

- 5.8 Other objections point out to the fact that there are no provision for deliveries or services within the development and no car parking for residents of the flats. The loss of this access would force the bowling club to close which is also the headquarters of Herefordshire County Bowling Association.
- 5.9 A large number of the other letters submitted make similar comments to the bowling club and from members themselves who have strong concerns over the proposed development.
- 5.10 The letter of concern and comments submitted welcomes the redevelopment of the site and the proposed uses. Concerns are expressed however with regard to potential impact from the bells which ring in the adjoining All Saints Church and concerns are also expressed about the height of the building in its relationship to the church and potential for the central bay which may remain open to become a social problem when unsupervised. We would object to any proposal if this was allowed to happen.

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 key issues in the consideration of this application are the principle of the proposed development, the design of the proposed building, the impact of the development on the Conservation Area and adjoining listed building and the access and transportation issues associated with this scheme.
- 6.2 The Hereford Local Plan identifies this area as being suitable for small scale retail development under Policy S2. It is considered that Bewell Street provides an important link into High Town from Tesco's city centre store and therefore the development of retail units on the street frontage is welcomed. In respect of the proposed residential accommodation above the retail units, Policy H23 of the existing Local Plan allows this type of development providing it is in accordance with other Plan policies, particularly with regard to the impact on the Conservation Area. PPG6 (Town Centres and Retail Development) encourages and promotes mixed use development including flats above shops. They can increase activity within the city centre and contribute to the vitality and viability of other services. Similarly, PPG3 (Housing) also promotes residential development above shop uses. It is considered that the principle of development on this site incorporating retail on the ground floor and small scale residential units above sits comfortably with existing Development Plan policy and no objections are raised on this issue.
- 6.3 In this sensitive historic urban context, the design, siting and scale of the proposed building are critical considerations in dealing with this proposal. The site is currently in use for car parking although this has never been formalised and it retains a rather unsightly appearance. The historic urban pattern of development on the north side of Bewell Street has largely been lost which has degraded this part of the city centre in terms of townscape and environmental quality and it is considered that it is subsequently detracts from both the Conservation Area and adjacent listed buildings.

- 6.4 In this case the design solution proposed is characterised by a simple rectangular form with varied planes to the elevation on Bewell Street and bowling club to the rear. Detailed discussions have taken place with the Council's Chief Conservation Officer and English Heritage in terms of the modern form and detail of this building, and it is considered that the proposal addresses the sensitive townscape issues well in terms of form, scale and detail. The new building would have its greatest impact when viewed from the west at the entrance to Bewell Street where its mass will appear greatest adjacent to the existing public house. The stepping back of the building at first floor level will though help reduce the perceived mass significantly from both the street level and with regard to all views of the building. Subsequently it is not considered that it would dominate or compete with adjacent structures to an unacceptable extent.
- 6.5 The contemporary form and detail will give a significant contrast with the historic environment but this will allow the historic trust structures (particularly All Saints Church, a Grade II* Listed Building) to stand apart and gives a greater sense of depth between the buildings. The materials proposed are integral to achieving the clean lines which are a fundamental part of the building's design and which in themselves enhance the building's architectural merit. This contrast in materials will again help add visual interest to the street scene and set the old apart from the new.
- 6.6 In terms of long distance views, the rear of the building will clearly be visible from the ring road as one looks to All Saints Church and the Bowling Green Club house but again the new building will stand apart from the listed building and both the Council's Conservation Officer and English Heritage feel that it will give definition within this urban context which is currently lacking. It is considered that the building will add interest to the skylight but will not obscure views of All Saints Church spire or detract from the setting of this important listed building. Glimpsed views at All Saints Street will also be significantly improved and the historic street pattern restored.
- 6.7 Very careful consideration has been given to both the design approach, the siting and the scale of the proposed building and Officers conclude that the proposed development with appropriately detailed materials and finishes will achieve significant townscape benefits in a currently nondescript part of Bewell Street. For these reasons the design is considered to be a positive enhancement to the character and appearance of the Hereford Central Conservation Area that will also help improve the setting of All Saints Church.
- 6.8 As Members will note from the representations, the access and transportation issues are of significant concern in the representations made on this application. Most notably, the loss of the access to the bowling green. This issue has been thoroughly considered by Officers, however it is clear that there is no adopted public right of way across the site to serve the bowling green and that the private agreement between the bowling club and the landowner is not a material planning issue. From representations received from the developer's solicitor, it would appear that the necessary legal contract and agreements have all been resolved and that the bowling club no longer have any rights to access the green from the current car park. Whilst this position is clearly regrettable, it must be stressed that it is not a material planning issue which can affect the consideration of this application. It is a private agreement between parties which has no bearing on a planning application to develop the site.
- 6.9 Having regard to the private issues over the access to the bowling green, the club now have only one point of entrance and exit through their existing club house. Whilst Officers will give every possible assistance to the club in identifying alternative

potential access arrangements, it is not an issue which the Council can consider in determining this application.

- 6.10 Other access issues which have been raised relate to no provision for service deliveries or private parking arrangements for the 14 residential units proposed. In this city centre context, a car free development is considered to be acceptable having regard to all the services and amenities which are available associated with city centre living. With regard to service vehicles for the proposed retail units, the delivery provision will be similar to most of the retail units on Bewell Street which requires vehicles to park within the highway. Having regard to the constraints of the street width and the importance of the design and siting of the proposed development, it is not considered that off street provision can be made available in this historic street context.
- 6.11 Given to the site's proximity to All Saints Church, an archaeological evaluation has been carried out as part of the consideration of this proposal. The majority of the features uncovered dated from the 16th century AD or earlier and many of them contained tap slag and smithy waste indicating the site was used for small scale iron working. It is considered that with appropriate conditions the archaeological issues have been satisfactorily resolved in this case and subject to further detailed conditions on the buildings foundations.
- 6.12 In conclusion, whilst the access to the bowling green is clearly a sensitive issue and one of some regret, it is unfortunately not an issue which the planning process can resolve on behalf of the club. When consideration is given to the planning issues associated with this scheme, it represents a proposal that complies with Development Plan policy and also can offer significant townscape enhancement and benefit to the historic Central Conservation Area. Through use of high quality materials and finishes, the proposed scheme could make a significant contribution to the locality and as such is supported by Officers subject to the conditions set out.

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. **B01 (Samples of external materials).**

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

3. **C02 (Approval of details).**

Reason: To safeguard the character and appearance of this building of special architectural interest.

4. **D01 (Site investigation - archaeology).**

Reason: To ensure the archaeological interest of the site is recorded.

5. D04 (Submission of foundation design).

Reason: The development affects a site on which archaeologically significant remains survive. A design solution is sought to minimise archaeological disturbance through a sympathetic foundation design.

6. 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.

7. F15 (Scheme of noise insulation).

Reason: To safeguard the amenity of the area.

8. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

9. F18 (Scheme of foul drainage disposal).

Reason: In order to ensure that satisfactory drainage arrangements are provided.

10. F22 (No surface water to public sewer).

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

11. F38 (Details of flues or extractors).

Reason: In the interests of the amenity of the area.

12. F41 (No burning of materials/substances during construction phase).

Reason: To safeguard residential amenity and prevent pollution.

13. G13 (Landscape design proposals).

Reason: In the interests of visual amenity.

14. H27 (Parking for site operatives).

Reason: To prevent indiscriminate parking in the interests of highway safety.

15. 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.

Informatives:

1. HN22 - Works adjoining highway.
2. N03 - Adjoining property rights.
3. N04 - Rights of way.
4. N08 – Advertisements.
5. N12 - Shopfront security.
6. N15 - Reasons for the Grant of PP/LBC/CAC.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.

DCCW2004/1053/F - CHANGE OF USE FROM LABORATORY FACILITY TO STUDIOS/CLASSROOM FOR EDUCATIONAL PURPOSE AT NELSON TECHNICAL CENTRE, H.P. BULMER, WHITECROSS ROAD, HEREFORD, HR4 0LE

For: Herefordshire College of Art and Design per Herefordshire Council Property Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB

Date Received: 23rd March 2004

Ward: Three Elms

Grid Ref: 50418, 40149

Expiry Date: 18th May 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 located on the north side of Eign Street/Whitecross Road adjacent to the vehicular entrance to Aldi supermarket. The building itself which has a landmark position in the area is a modern building and the first part of the Bulmers complex one sees on travelling west out of the city centre.
- 1.2 This application seeks full planning permission for a change of use from the existing B1 classification to D1 (Non-residential Education and Training Centres) for the College of Art and Design currently based at Aylestone Hill. The details submitted with the application indicate the building would provide accommodation for between 150 and 200 staff and students and the provision of 15 parking spaces would be made available on land immediately to the west of the building for staff parking only. A detailed supporting travel statement has been put in on behalf of the college which gives a breakdown of the hours of use of the building and that the college will encourage the following.
- a) Use of public transport - supported by closed proximity of existing bus stops.
 - b) The limiting of the use of private vehicles on site by staff with authorised permit holders only.
 - c) Students to make use of public car parking as present within the city.
 - d) Drop-off point within the confines of designated parking area for mini-bus transfers from the main college campus as appropriate.
 - e) Provision of a secure cycle shelter.
 - f) Promotion of car sharing amongst staff.
- 1.3 There would be no external changes to the building and internally rooms would be set out for studios, offices, classrooms, low tech workshops and space for recreational breaks. The hours of use proposed would be 9 a.m. - 5 p.m. Monday to Friday, 9. a.m. - 7 p.m. (during college year Finals) and as the college curriculum determines. It should be noted that outside term time the building would not be in use.

2. Policies

2.1 Hereford and Worcester County Structure Plan:

Policy CTC9 - General Development Criteria

2.2 Hereford Local Plan:

Policy E2 - Established Employment Areas
Policy E6 - Other Uses on Employment Land
Policy T5 - Car Parking – Designated Areas
Policy T11 - Pedestrian Provision
Policy T12 - Cyclist Provision
Policy SC6 - Permanent Educational Accommodation

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy E5 - Safeguarding Employment Land and Buildings
Policy E7 - Other Employment Proposals Within and Around Hereford and the Market Towns
Policy T6 - Walking
Policy T7 - Cycling
Policy T8 - Road Hierarchy
Policy T11 - Parking Provision
Policy T16 - Access for All

3. Planning History

3.1 HC880543PF/W Demolition of two storey building and construction of new technical centre and link block situate opposite Grimmer Road Whitecross Road - Approved 22nd February 1989.

4. Consultation Summary

4.1 There are no statutory consultation responses on this application.

Internal Council Advice

4.2 Head of Engineering and Transportation - concerns are expressed regarding insufficient parking as students are likely to use the superstore and or residential areas as opposed to paying for car parking in the locality. A travel plan should be requested to mitigate the reduced parking provision.

4.3 Head of Environmental Health and Trading Standards - no objection.

5. Representations

5.1 Hereford City Council - recommend refusal on the grounds of inadequate parking facilities to support the use proposed.

6. Officers Appraisal

- 6.1 The key issues in the consideration of this application are the principle of the proposed development and the access and transportation issues associated with the change of use.
- 6.2 Bulmers Technical Centre consists of relatively modern office building and laboratory facility which has been decommissioned following the scaling down of operations on the site. It is proposed to change the use of the B1 building to allow its occupation by Herefordshire College of Art and Design with the building providing capacity of between 150 to 200 students and staff.
- 6.3 Policy E6 of the adopted Hereford Local Plan states that non Class B uses on established employment areas will not normally be permitted having regard to the need to ensure that sufficient land is available to meet likely unforeseeable needs for Class B employment uses to include the provision of a range of sites in terms of size, location and quality. Whilst the proposed D1 use does not sit comfortably with that adopted policy, the improvement in provision of educational facilities at the College of Art and Design is one which in principle Officers support. However, each building and site must be assessed on its own merits and in this instance the access and parking issues associated with the proposal must be the overriding consideration having regard to recognised parking and congestion issues in this part of the city centre.
- 6.4 The application is supported by a Transport Statement which indicates that there would be no availability for on site parking for students. This is supported with the college's commitment to encourage the methods and modes of transport in Part 1 of this report. Whilst in principle Officers welcome development proposals which promote sustainable forms of transport, in this case having regard to the strategic position of the existing college at Aylestone Hill and the location of the technical centre, it is considered unrealistic to expect almost all of the students to use public transport, the provision of mini-bus transfers or public pay and display car parks. Furthermore, there are no public car park facilities in close proximity to the application site which is likely to exacerbate the recognised parking problems within the surrounding streets.
- 6.5 Careful consideration has been given to the potential to increase parking provision on site, however it is extremely difficult to resolve. The full provision in accordance with adopted standards would require almost 90 spaces which is considered unsustainable. Should a reduced figure be suggested this will encourage the students to use private vehicles and once at capacity is likely to lead to overflow car parking on the side streets of Whitecross.
- 6.6 In view of the above officers conclude that the use of the building as proposed is not acceptable and is highly likely to exacerbate existing parking problems in this already congested part of the city. Whilst seeking to support the College of Art and Design in its aspirations to improve educational provision, this application fails to satisfy the fundamental transport issue and is also contrary to Policy E6 of the adopted Hereford Local Plan.

RECOMMENDATION

That planning permission be refused for the following reason:

1. The site is located in a busy part of Hereford City where on-street parking and congestion are a recognised problem. Having regard to the limited parking facilities associated with the proposal and having regard to the intensive use as proposed, the development is highly likely to exacerbate access and parking issues to the detriment of the locality and highway safety. Furthermore, the proposed use conflicts with Policy E6 of the adopted Hereford Local Plan which seeks to retain Class B uses on established employment sites to ensure sufficient land is available to meet likely foreseeable needs of employment uses including the provision of a range of sites in terms of size, location and quality.

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.