

9 DCCE2004/2003/F - STORAGE COMPOUNDS (7) TOGETHER WITH PERIMETER FENCE. LAND ADJACENT TO MORTIMER ROAD AND BURCOTT ROAD, HEREFORD**For: Mr. R. Taylor per Mr. R. Pritchard, The Mill, Kenchester, Hereford, HR4 7QJ****Date Received: 1st June, 2004****Ward: Three Elms****Grid Ref: 50875, 41149****Expiry Date: 27th July, 2004**

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

1. Site Description and Proposal

- 1.1 The application site comprises a 0.56ha plot of land that has been vacant for a number of years. The site lies between Burcott and Mortimer Road and currently has a steel pallasade fence erected around the perimeters. Access to the site is gained via Burcott Road. The surrounding area predominantly consists of buildings in commercial and industrial use, although there are some residential properties in the vicinity.
- 1.2 The proposal is for the use of the site for the erection of 7 compound units of approximately 30m x 30m in size, defined by open mesh-metal fences, 2.3m in height. The compounds would be used for storage, for example by builders and business' that may require a storage facility. The proposal also includes the removal and 'upgrading' of the existing boundary fences although no details of this are provided with the application.
- 1.3 Part of the application site lies on the site of the old canal and the canal restoration line. As such it is proposed that the use of the site be on a temporary basis to allow the development of the canal.

2. Policies**2.1 Planning Policy Guidance:**

- PPG1 - General Policy and Principles
PPG13 - Transport

2.2 Hereford Local Plan:

- E2 - Established employment area
E7 - Criteria for employment development
R15 - The Herefordshire and Gloucestershire Canal

2.3 Unitary Development Plan (Deposit Draft):

- T4 - Rail Freight
RST9 - Herefordshire and Gloucestershire Canal

3. Planning History

- 3.1 DCCE2003/3719/F - Use of land for proposed storage compounds by sub-division into 9 no. units including perimeter and internal fences. Refused 4th February, 2004.
- 3.2 HC970448PF - Use of obsolete land as secured lorry and car compounds with general overspill car parking including services block, cctv on pole and security fence. Deemed withdrawn.

4. Consultation Summary

Statutory Consultations

- 4.1 There are no statutory consultations.

Internal Council Advice

- 4.2 Head of Engineering and Transportation, response from Transportation Manager: Provided there is no intensification of the use we would have no objection to the application. Provided the access is constructed as per the drawing it would help visibility if the metal line of the boundary with Burcott Road was removed or replaced with railings.
- 4.3 Environmental Health Officer: No adverse comments.
- 4.4 Head of Forward Planning summarises: There are no policy objections in terms of the adopted local plan policy, however, increasing weight should now be given to the policies of the emerging UDP. It is my opinion, however, that the portacabins, which are temporary in nature and the proposed storage uses are unlikely to prejudice the implementation of any potential for the reintroduction of rail freight uses. Therefore in this instance it is considered that a recommendation of refusal would not be appropriate.

5. Representations

- 5.1 Hereford City Council: No objection.
- 5.2 Herefordshire & Gloucestershire Canal Trust: Object to the proposals (see appendix)
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The issues for consideration in the appraisal of the application are:
- The principle of the use of the land for temporary storage compounds.
 - Highway safety implications.
 - The impact of the proposals for the restoration/development of the Herefordshire and Gloucestershire Canal Trust and potential introduction of a freight rail system.
- 6.2 The Hereford Local Plan allocates this land as an established employment area where development falling within Class B8 (storage) is permitted provided that the proposal is also in accordance with Policy E7. The use of the site for storage compounds would

not have an adverse impact on the amenities or character of the surrounding area, although an alteration to the style of boundary fence is required in order to improve the visual appearance of the site. A condition is recommended. There are no highway objections providing the revisions are made to the access. Again, a condition is recommended.

- 6.3 Whilst there are no objections in principle to the proposal the main issue is the gaining of consent for development that may compromise the development of the Herefordshire and Gloucestershire Canal. Herefordshire Council is fully supportive of the policies and proposals to restore the canal, and accepts that this would be a fundamental part to the success of the Edgar Street Grid proposals. Policies in both the Hereford Local Plan and Unitary Development Plan (Revised Deposit Draft) look to protect these aims by restricting development that may prejudice the redevelopment. The UDP also looks to re-introduce a freight rail system in this location raising the same issue as with the canal route.
- 6.4 The majority of the proposed compounds do not directly affect the canal route, they would however, if permanent restrict the future uses of the site. The compounds and portacabins are fully removable and temporary in nature allowing for their removal at such time that the canal projects are furthered. The Canal Trust has not yet offered a timescale for these proposals. Having regard to the temporary nature of the portacabins and fencing, and the lack of detail regarding the timescale for the implementation of the canal restoration in this area, it is accepted that the proposal, if controlled by conditions, as a temporary use, is unlikely to prejudice the implementation of any potential re-introduction of the redevelopment of the canal line.
- 6.5 A two year temporary permission is recommended during which, a permanent scheme, that accepts and embraces the requirements of the canal restoration can be developed. In its current form we would not entertain a permanent permission on this site. A temporary permission would also mean that any potential freight rail uses could be addressed in a later permanent scheme and at this stage would not harm or prejudice its progress. The applicant, through this submission, has acknowledged the site restrictions and the line of the canal. Further discussion and acknowledgement of the canal corridor, freight rail line and highway issues would need to be addressed in any permanent scheme on the site.
- 6.6 It is emphasised that the local planning authority fully support the proposals for the redevelopment of the canal corridor. The examples given in the letter of representation from the Canal Trust show that where permanent buildings are proposed, the local authority has advocated and supported proposals that would not have prejudiced the canal redevelopment. Any application for a permanent use on this site would be required to have regard to the line of the canal and towpath as well as the requirement to provide a turning head. Unfortunately the Canal Trust have not provided a timescale for the redevelopment of this particular site, making the refusal of a temporary permission difficult to inappropriate.
- 6.7 To conclude, the proposed use and structures, erected and used for a temporary period, would be an acceptable form of development. The temporary permission would prevent the prejudice of the redevelopment of the canal corridor. As such, the acceptance of temporary permission, for an employment-based use would accord with the policies of the adopted Hereford Local Plan and emerging Unitary Development Plan. As such, it is recommended that a two-year temporary permission is granted, with conditions to improve the appearance of the boundary treatments and visibility at the access.

RECOMMENDATION

That temporary planning permission be granted subject to the following conditions:

- 1 E21 (Temporary permission and reinstatement of land)

Reason: The site lies on the route of the Herefordshire and Gloucestershire Canal where Policy R15 of the Hereford Local Plan resists permanent development that would prevent restoration.

- 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 G01 (Details of boundary treatments)

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

- 4 F43 (Restriction on height of open air storage)

Reason: To protect the appearance of the locality.

- 5 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.

- 6 No permanent structures shall be erected within or around the site other than those specified in this permission or conditions attached to this permission.

Reason: The site lies on the route of the Herefordshire and Gloucestershire Canal where Policy R15 of the Hereford Local Plan resists permanent development that would prevent restoration.

INFORMATIVE:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.