

10 DCCE2004/2601/F - ERECTION OF 1890 SQUARE METRES OF NEW BUILD COMMERCIAL/INDUSTRIAL UNITS AND REFURBISHMENT OF EXISTING B1/B8 UNITS. DEMOLITION OF FLAT ROOF EXTENSION. HOLMER TRADE PARK, HOLMER ROAD, HEREFORD

For: I. E. Developments Ltd., Peregrine House, 335 Kings Acre Road, Hereford, HR4 0SL

Date Received: 4th August, 2004

Ward: Three Elms

Grid Ref: 50719, 41157

Expiry Date: 29th September, 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 is located to the rear of the new Tiles R Us retail unit that lies on the east side of Holmer Road, to the immediate south of established retail warehouses (Dunelm Interiors, MFI, etc) and to the north of residential properties. The site itself formerly comprised a number of industrial units but all but one of these has recently been demolished and removed from the site. There are a line of mature trees to the eastern boundary of the site, that are in excess of 8m in height.
- 1.2 Existing vehicular access to the site is by way of the newly laid access road that runs from Holmer Road to the north of the new retail units. Improvement works were undertaken to Holmer Road as part of the redevelopment of the retail site. To the south of the site a single width track provides vehicular access to the site from Mortimer Road. This access also serves the rear of the residential properties along the eastern side of the site, fronting Mortimer Road.
- 1.3 The proposal the subject of this planning application is two fold. Firstly is the erection of a single building that would comprise 5 units to be used for a mix of B1 (light industrial) and B8 (storage and distribution) uses. The building would be sited to the eastern side of the site along the boundary with the residential properties that face Mortimer Road. The building would have a footprint of 78m x 24m, and eaves height of 6m. The roof has been hipped to reduce the bulk and mass of the building and would have a maximum ridge height of 10m. Each unit would comprise an office, disabled wc, and kitchen along with the warehouse/floor space. Parking has been shown to the front of each unit. The materials proposed for this building would be Kingspan composite roofing sheets and cladding with block piers to the front elevation. The only openings in the rear elevation would be 5 fire doors at ground floor level.
- 1.4 The second part of the application proposal is the refurbishment and alteration of the existing building. This would involve the removal of the flat roofed extension to the east elevation and the re-roofing and insertion of new doorways/loading bays to the east elevation. This would give the existing building a similar appearance to that of the proposed new build.

2. Policies

2.1 Planning Policy Guidance:

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

2.2 Hereford Local Plan:

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

2.3 Unitary Development Plan:

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

3. Planning History

- 3.1 HC930282PF - alterations and extensions to part of an existing factory to allow for installation of new production equipment. Application withdrawn.
- 3.2 CE2001/1727/F (adjacent site) - Redevelopment of site, including demolition of existing retail and residential property, erection of new retail unit and provision of associated parking and service areas and altered access to Holmer Road. Approved 4th September, 2002.
- 3.3 CE2003/2528/F (adjacent site) - Variation of Condition 2 of planning permission CE2001/1727/F (amended elevations). Approved 20th October, 2003.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: Request that conditions are included relating to foul and surface water drainage.

Internal Council Advice

- 4.2 Head of Engineering and Transportation, response from Transportation Manager: No objections but recommends conditions be added to the permission.
- 4.3 Head of Community and Economic Development: No comments.

4.4 Forward Planning: The Hereford Local Plan identifies this site as an established employment area and the proposed uses are within Classes B1 and B8. There is therefore no objection to the principle of development on this land. The UDP has a similar employment land allocation for this site.

5. Representations

5.1 Hereford City Council: No objection but appropriate noise attenuation works to be required by condition.

5.2 Letters have been received from 7 residents and are summarised as follows:

- Concern over loss of right of access over lane to the eastern boundary of site (rear of dwellings to Mortimer Road) and a dispute of ownerships/right of access issues.
- Concern over potential increase of use of access from Mortimer Road to the application site especially with heavy vehicles.
- Concern regarding the access to the site through the eastern boundary due to the erection of double gates.
- Loss of privacy if rear access is used.
- Noise disturbance and nuisance - unneighbourly.

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 key issues in this case are the principle of development on the site, the impact of the proposed scheme on visual and residential amenity and access and highway safety.

6.2 Principle of Development

The Hereford Local Plan identifies this site as an established employment area and proposed uses are within Classes B1 and B8. Therefore there is no objection to the principle of development on this land. The emerging Unitary Development Plan has similar employment land allocation for this site.

6.3 Visual and Residential Amenity

The scheme involves constructing buildings in close proximity to a number of residential properties along Mortimer Road, Holmer Road and Newtown Road. Policy E7 of the Local Plan requires development to be environmentally acceptable and not have unacceptable adverse effects on the amenity of neighbouring properties or the surrounding area particularly in respect of residential and other sensitive uses.

The proposed building would be set back on the site behind its car park in a manner similar to those buildings that previously occupied the site. The design of the new building has taken into account the close proximity of the residential properties to the rear, using a hipped roof design and a minimal eaves height of 6m. The occupiers of dwellings fronting Mortimer Road would see the building but the distance between the dwellings and building would be sufficient to prevent an overbearing impact. In addition to this, the access lane to the rear of the dwellings (which in the ownership of the applicant but the residents use or have rights over) also provides a further buffer in conjunction with the row of mature Leylandi. It is considered that in respect of the new

building, the dwellings would not be adversely affected. Alterations to the existing building would improve the external appearance and would not have a detrimental effect on the living conditions of the occupiers of neighbouring properties.

In terms of noise and disturbance that may impact upon the living conditions and amenities of the neighbouring properties, an hours of opening/operation condition is proposed to ensure that the occupiers are not disturbed with late night working or early opening. The buildings also face into the site, with the buildings offering a buffer for noise/vehicle movements to the front of the building.

6.4 Access and highway safety

As part of the approval for the retail units, works were done to improve the access from Holmer Road and to the rear of the site. This access road is more than sufficient to serve the proposed buildings and the main access is from Holmer Road. There are no objections in highway safety terms to the main entrance from Holmer Road.

The site also has the benefit of vehicular access from Mortimer Road. This in the past has not been used and the usage has been mainly from residents. The applicant does however own this access road and the lane that runs along the rear of the dwellings although it appears that the residents do have some rights of access across this. The applicant wishes to retain the access, however, there are a number of concerns about an intensification of the use of this access and the impact that this would have not only on the residents but on highway safety. If the use of this access was intensified then the increase in traffic would not only cause additional disturbance but is likely to cause a hazard on Mortimer Road with the potential conflicts in traffic movements. As such it is suggested that this access is kept closed within the site except for emergency access still allowing use by residents. A condition is recommended. The residents have also written outlining their objections to the use of this access and it is felt that this condition would alleviate their concerns. Rights of Way to properties at the rear of the site are private matters between the parties concerned, and would not be affected by a grant of planning permission.

Residents were also concerned about the insertion of a gateway in the eastern boundary. Details of boundary treatments are requested by condition for clarification.

- 6.5 To conclude, the proposed development is of a nature and scale that is acceptable in relation to the policies of the Hereford Local Plan. There are no concerns relating to highway safety in using the main access onto Holmer Road. The only area for concern relates to any intensified use of the access onto Mortimer Road and impact on the living conditions of these occupiers. The conditions proposed would prevent working at unsociable hours and prevent use of the access by users of the site unless for emergency access. Details of which shall be submitted prior to commencement. As such, it is recommended that the application be approved with conditions.

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 B01 (Samples of external materials)

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

4 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.

5 The use hereby permitted shall not be open to customers between the hours of 11.00 p.m. and 7.00 a.m. daily.

Reason: In the interests of the amenities of existing residential property in the locality.

6 There shall be no open air operation of plant, machinery or equipment within the application site between the hours of 7.30 a.m. and 9.30 p.m. daily following occupation of the building.

Reason: To protect the amenities of nearby properties.

7 Details of any floodlighting and/or external lighting shall be submitted to and approved in writing by the local planning authority before the building is occupied. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To safeguard local amenities.

8 H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

9 F38 (Details of flues or extractors)

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

10 F39 (Scheme of refuse storage)

Reason: In the interests of amenity.

11 F40 (No burning of material/substances)

Reason: To safeguard residential amenity and prevent pollution.

12 F42 (Restriction of open storage)

Reason: To protect the appearance of the locality.

13 F48 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

14 G01 (Details of boundary treatments)

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

15 G04 (Landscaping scheme (general))

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

16 G05 (Implementation of landscaping scheme (general))

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

17 H15 (Turning and parking: change of use - commercial)

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

18 H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

19 H26 (Access location)

Reason: In the interests of highway safety.

20 H27 (Parking for site operatives)

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

21 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 N01 - Access for all

2 N04 - Rights of way

3 N08 - Advertisements

4 N13 - Control of demolition - Building Act 1984

5 HN01 - Mud on highway

- 6 HN05 - Works within the highway
- 7 HN07 - Section 278 Agreement
- 8 HN15 - Affected street lighting or illuminated signs
- 9 N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.