

PLANNING COMMITTEE

17 October 2012

Schedule of Committee Updates/Additional Representations

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

SCHEDULE OF COMMITTEE UPDATES

- 7 N120896/F - CHANGE OF USE OF BUILDING 1 FROM AGRICULTURAL BUILDING TO STORAGE; CHANGE OF USE AND ADAPTATION OF OLD FACTORY BUILDING (BUILDING 2) FROM OFFICES AND STORAGE TO OFFICES, STORAGE AND MANUFACTURING AT TYRRELLS COURT, STRETFORD, LEOMINSTER, HEREFORDSHIRE HR6 9DQ**
- N121877/F - PROVISION OF A SPRINKLER SYSTEM COMPRISING THE ERECTION OF A WATER TANK AND PUMP ROOM BUILDING AT TYRRELLS COURT, STRETFORD, LEOMINSTER, HEREFORDSHIRE, HR6 9DQ**
- N121981/F - ERECTION OF A 26 METRE STACK TOGETHER WITH THE PROVISION OF DUCTING AND OTHER ASSOCIATED INFRASTRUCTURE, TOGETHER WITH THE REMOVAL OF ROOF MOUNTED FANS FROM PRODUCTION PLANT (BUILDING 3) AT TYRRELLS COURT, STRETFORD, LEOMINSTER, HEREFORDSHIRE HR6 9DQ**

ADDITIONAL REPRESENTATIONS

Further correspondence has been received from Mrs Ford, The Barr, Stretfordbury. In summary the points raised are as follows:

N120896/F Change of use to include Popcorn frying.

Odour – Remains concerned that permission is to be granted without any form of filtration system in place. There does not appear to be any recommendations within the report to address this issue.

There are a total of 30 representations made by residents who live close to the site regarding the above applications, many of which state that the odour from the popcorn facility can be smelt some distance from the site boundary.

The report does not provide details of how the traffic management condition will be policed and as I see HGV's regularly turning right towards Stretford Bridge I question how this condition will be enforced. There is a 7.5 tonne restriction on this lane which is not adhered to.

If this action were to be implemented all HGV's & LGV's would pass our property (The Barr) and would severely affect our amenity.

N121981/F Chimney Stack

The report does not provide conclusive evidence that the chimney will solve the issue of odours emanating from existing fryers and we suggest that the significant detrimental visual impact of the chimney is not acceptable on the grounds that 'it might work'.

With regard to mitigating the visual impact the report states that 'as a consequence of the groups of trees and hedgerows that either serve to screen or provide a backdrop to it from public vantage points' – many of these trees and hedgerows are not situated within the Tyrrells site, therefore cannot be relied upon to screen the factory as they could be removed or cut back by their owners.

Taking into account the following UDP guidelines and the aim of the planning service to help protect the amenity and environment of Herefordshire, we believe that if granted approval these applications would have an adverse impact on the local area and neighbours to the site and are unsustainable.

OFFICER COMMENTS

N120896/F

With regard to odour, this matter is addressed at paragraph 6.18 of the main report. This aspect of the proposal has been considered by the applicant's odour consultant and by the Council's Environmental Health Officer. They have both visited the site since popcorn has been produced and neither has concluded that any further filtration systems are required to mitigate odour.

It should also be highlighted that, of the representations submitted in relation to this application, only Mrs Ford has commented about unacceptable levels of odour emanating from the manufacture of popcorn.

The report comments in detail about traffic movements and it is simply reiterated here that there will be a marginal increase in traffic movements associated with this proposal. The applicants` have agreed to amend their traffic management plan following the concerns originally expressed when the matter was first reported to planning committee.

N121981/F

An odour assessment has been produced by a consultant specialising in odour mitigation. The report has been completed in accordance with industry standards and concludes that the chimney stack is the most efficient way of dealing with the identified odours associated with crisp frying. The content of the report has been accepted by the Council's Environmental Health Officer and no evidence has been provided by any of the objectors to substantiate claims that the chimney stack either will not work, or will simply cause a nuisance further afield.

It is accepted in the report that the installation of a chimney stack will have a visual impact and that this has to be balanced against the concerns raised about odour.

NO CHANGE TO RECOMMENDATION

9 N120761/F- CONVERSION OF GARAGE/WORKSHOP/OFFICE TO HOLIDAY LET. AT LITTLE WACTON FARM, BREDENBURY, HEREFORDSHIRE, HR7 4TQ

For: Mr Sayce per Mr Michael Kelly, 24 Rumsam Gardens, Barnstaple, Devon, EX32 9EY

At the request of Councillor Swinford condition 1 attached to the appeal decision is identified for members below;

1) The building hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such and not for the carrying out of any trade or business.

OFFICER COMMENTS

The appeal application (DCNC2008/2482/F) proposed a 'domestic garage' and was therefore determined in accordance with the relevant policy H18 in the UDP. This proposal for holiday accommodation falls to be considered against other policies within the UDP such as RST 12 and RST13. The condition was attached to the decision to control the use of the building and to ensure that should circumstances change and there was a proposal to change the use of the building, then full consideration could be given by the Council to the relevant planning policies relating to such a proposal.

10 S120972/CD - CONTINUED USE OF MOBILE BUILDING TO HOUSE PRE-SCHOOL - NEW 5 YEAR LEASE TO BE AGREED, SO PERMISSION REQUIRED TO 2017 AT OUR LADYS PRIMARY SCHOOL, BOYCOTT ROAD, HEREFORD, HR2 7RN

For: Ms Davidson, Children & Young Peoples Directorate per Mr Robert Scott, Property Services, Plough Lane, Hereford, HR4 0WZ

ADDITIONAL REPRESENTATIONS

Para 5.2 – One letter was also received from an L Nunney, 13 Boycott Road (as well as a T Nunney)

Our Ladys School have commented as follows:

I have viewed "The Traffic Management Plan" and Our Lady's School supports the recommendation of one year planning permission, with a view to extending this based on the on-going success of the travel plan.

The school will also assist in reminding parents who park on Boycott Road.

In response to the committee report recommendations a Traffic Management Plan has been received from the applicants that states as follows:

1. From September 2012, Merry go Round parents who drive to nursery are using the gates connecting to Our Lady's Church Car Park. Permission was sought during August through Father Cenydd from the Cardiff Diocese. This is manned at key times (11.30am / 12.30pm) by Merry go Round staff.
2. A letter is issued to parents (see below) who sign to promise they will not use Boycott Road for parking, and should they continue to do so they would lose their nursery place as our planning permission would depend on it. This letter has been added to our Registration Forms for future parents.
3. Continued verbal reminders to parents regarding parking facilities and access to the nursery through Our Lady's Church Car Park.

4. We display signs within the nursery to remind parents not to park in Boycott Road, and a condensed version of the parking letter will be included in our termly newsletters – October, February & June.
5. Liaison with school to include parking restrictions for both nursery and school parents on Boycott Road, and reporting car number plates to them in the event of school parents parking there.

A copy of the letter that will be sent to parents for signing / agreement has also been received. This reads as follows:

Following our recent planning permission application for our building, we have been granted a one year temporary permission. To allow for further permission, we must address the parking situation on Boycott Road. Residents were unhappy that parents were parking in the street at key times and sent objections to the planning department. To rectify this, we have provisionally asked the diocese for use of the Our Lady's Church car park on Belmont Road.

Parking is now available in the church car park for all parents with children attending the nursery. The gates will be open at the following times:

8am – 9.10am (for all nursery and school children)
11.25am – 11.35am (for nursery children)
12.25pm – 12.35pm (for nursery children)
3pm – 4pm (for all nursery and school children)

Please ensure you arrive within the designated times. If you suspect you may be late arriving, please telephone in advance to allow the Supervisor to arrange for the gate to be open for you.

The church will inform us of any events, such as funerals, which may hinder parking and we request at this time that you find alternative parking arrangements.

There is no parking on Boycott Road whatsoever as this will reflect badly on our planning permission, which would result in refusal from the local authority and our nursery would be forced to close.

Should any parent/carer continue to park in Boycott Road, the nursery will be forced to give notice to the child and their nursery place would be lost. Please sign the declaration below to confirm you have understood the points of this letter.

Please note: Only pedestrian access will be permitted through Boycott Road.

We are sure you will support us by using the church car park and not parking on Boycott Road.

OFFICER COMMENTS

Officers are satisfied that the submission detailed above will be sufficient to address the recommended conditions and as such the recommendation is varied as follows below.

CHANGE TO RECOMMENDATION

Substitute condition 2 of recommendation for the following:

The proposed use shall be implemented and operated in accordance with the details contained within the Traffic Management Plan. A detailed written record shall be kept of the measures undertaken to prevent parking in Boycott Road / promote parking within the Church car park. Documentation shall be made available for inspection upon reasonable request by the local planning authority.

In the interests of highway safety having regard to Policy DR3 of the Herefordshire Unitary Development Plan and having regard to the amenities of local residents in accordance with Policies DR2 and CF5 of the Herefordshire Unitary Development Plan.