

MEETING:	PLANNING COMMITTEE
DATE:	11 DECEMBER 2013
TITLE OF REPORT:	<p>132566/CD - VARIATION OF CONDITION 2 OF PLANNING PERMISSION DCNC0009/1820/CD - TO ALLOW THE USE OF THE MULTI-USE ROOM FOR THE PURPOSE OTHER THAN ANCILLARY TO THE HOPE CENTRE, UP TO 4 NO COUNCIL STAFF AS PART OF THE COUNCIL'S BETTER WAYS OF WORKING POLICY. AT HOPE FAMILY CENTRE, HEREFORD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4QU</p> <p>For: Property Services, Plough Lane Offices, P O Box 4, Hereford, HR4 0XH</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/planningapplicationsearch/details/?id=132566

Date Received: 17 September 2013 Ward: Bromyard

Grid Ref: 364443,253846

Expiry Date: 15 January 2014

Local Members: Councillors JG Lester and A Seldon

1. Site Description and Proposal

- 1.1 The Hope Family Centre is located to the west of the A465 (Hereford to Bromyard Road) just south of the settlement boundary of Bromyard. The 'Top Garage' and petrol station adjoins the site to the south, with the B4214 highway running alongside the western boundary. The residential property 'Touchwood' borders the site to the north. There are two buildings on the site, both used by the H.O.P.E charity as a family centre
- 1.2 H.O.P.E stands for 'Holistic Opportunities for Play and Education' and was established in 1999 with the aim of supporting local parents on low incomes and those facing particular disadvantage. The charity moved into the building, which is subject to this application, in 2006. They currently provide childcare for 0-5 year olds, adult education and individual family support. They run a number of adult courses, and provide access to debt advice, a health visitor and midwife. Within the second building approved under application DCNC0009/1820/CD there are also small business units/workshops for individuals to work from and also a café.
- 1.3 The original building granted under application DCNC2005/0062/F is restricted to use as a 'family centre, crèche and play group facilities and associated offices'. Condition 12 attached to the decision notice prevents the building being used for any other use in Class D of the schedule of the Town and Country Planning (Use Classes) Order 1987. The second most recent building granted under application DCNC0009/1820/CD, which is subject to this application, is restricted to uses ancillary to the use of the existing premises on site (e.g.HOPE Family Centre).

1.4 Application 123428/CD granted permission for a variation to the hours of opening of the second/main building. The building now has permission to be open 7am to 6pm on Sundays and Bank Holidays and 7am to 10.30pm on any other day.

1.5 This application proposes to vary condition 2 of planning permission DCNC0009/1820/CD to allow the first floor of part of the building, which is currently an open multi use area, to be used by four council staff as part of the Councils 'Better Ways of Working' strategy. The four allocated desks provide access to internet and email. The facility is aimed at Council employees living locally and will enable them to carry out their job without having to travel into Hereford. Council staff will also have access to the meetings rooms should they wish to use them. The use has been in operation for a while with users signing in/out at the main reception and access the facility via the Centres communal staircase. The Design and Access Statement accompanying the application indicate that since 2012 there is between three to four Council Staff using the centre daily.

1.6 Condition 2 of DCNC2009/1820/CD is as follows:

2. The use of the development hereby approved shall be strictly ancillary to the use of the existing premises on site (i.e. HOPE Family Centre).

Reason: To ensure that the development is in-keeping with the existing use on site and to comply with the requirements of Policy CF5 of the Herefordshire Unitary Development Plan.

1.7 The proposal is to vary this condition to allow the Multi Use area, which was approved under application DCNC0009/1820/CD, to be used by four Herefordshire Council Employees as a Multi Agency Office.

2. Policies

2.1 National Planning Policy Framework

The overarching theme of the NPPF is a presumption in favour of sustainable development.

Chapter 1 requires that the planning system supports sustainable economic growth, with the planning system acting to encourage not impede economic growth.

Chapter 3 states that local plans should "support sustainable growth and expansion of all types of business and enterprise in rural areas...and promote the development and diversification of agricultural and other land-based rural businesses."

Paragraph 187 confirms that decision takers at every level should 'seek to approve applications for sustainable development' where possible.

2.2 Herefordshire Unitary Development Plan:

S1	-	Sustainable Development
S2	-	Development Requirements
S4	-	Employment
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
E7	-	Other Employment Proposals Within and Around Hereford and the Market Towns

E8	-	Design Standards for Employment Sites
E11	-	Employment in the Smaller Settlements and Open Countryside
TCR10	-	Office Development
T11	-	Parking Provision

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspx>

3. Planning History

- 3.1 DCNC2003/2440/F – Playground family centre crèche facility, associated offices and Wc.s Approved 2/12/2003.
- 3.2 DCNC2004/1515/F – Variation to condition 3 of DCNC2003/2440/F re access. Approved 12/7/2004.
- 3.3 DCNC2005/0062/F – New build family centre. Approved 20/4/2005.
- 3.4 DCNC2005/1790/F – Variation to condition 14 of DCNC2005/0062/F to extend opening hours of centre from 6pm to 9pm. Refused 14/9/2005
- 3.5 DCNC2006/0882/F - Variation to condition 14 of DCNC2005/0062/F to extend opening hours of centre from 6pm to 9pm. Approved 17/7/2006
- 3.6 DCNC0009/1820/CD – Proposed construction of phase 2 of the H.O.P.E family centre, development to include day care facilities, office space, workshop space, multi-use community space and café, with associated parking facilities.
- 3.7 N102496/AM - Non material amendment to DCNC0009/1820/CD. Approved 18/2/2011
- 3.8 N111678/F – Variation to condition 14 of DCNC0009/1820/CD – no time restrictions on use of building so it can be used for charity functions and occasional training events. Withdrawn.
- 3.9 N123414/CD – Variation of condition 15 of DCNC0009/1820/CD – Withdrawn
- 3.10 N123415/CD – Variation of condition 2 of DCNC0009/1820/CD – Withdrawn
- 3.11 N123428/CD – Variation of condition 14 of DCNC0009/1820/CD - Approved

4. Consultation Summary

4.1 Statutory Consultations

4.1 None.

Internal Council Advice

- 4.2 Traffic Manager – No objection to the proposal subject to a condition being attached to an approval in relation to a travel plan which should promote alternative sustainable means of transport by staff.
- 4.3 Environmental Health Officer – No objection

5. Representations

5.1 Bromyard Town Council – No comment made at the time of writing the report.

5.2 A representation against the proposal has been received Mr and Mrs Morris the occupiers of Touchwood, the residential property which adjoins the site to the north. The objection to the proposal is summarised below:

1. Proposal will change the nature of the site and will lead to the gradual breakdown of the site into unrelated units;
2. The proposal will significantly alter the intended use of the site and represent over development;
3. Condition 2 is the only control which the Local Planning Authority has to stop the site becoming an unrestricted out of town commercial centre;
4. There are many unoccupied units within town centre which haven't been considered;
5. Does not accord with the current local or national planning policy (Policies S5, TCR1, TCR2, TCR9 and TCR10 of HUDP identified);
6. If tie to H.O.P.E was not attached, an unrestricted planning permission would have been granted for town centre uses in an out of town location, therefore the is key in ensuring the development remain appropriate;
7. Office development should be directed towards the town centre in first instance;
8. No information in relation to an impact assessment of the surrounding area;
9. The proposal will increase the existing parking problems at the site; and
10. The application does not identify who else will use the multi use area.

5.3 A Design and Access Statement was submitted with the application. In summary this states:

1. The facility will provide desk spaces with access to the Council's Intranet and email for Council employees living locally to carry out their job without having to travel to Hereford.
2. The Council has adopted a better ways of working policy to free up desk space in the main offices and promote sustainable working/travel.
3. Users of the office are able to use the other facilities in the Hope Centre, such as the café and toilet.
4. The other work spaces within the multi use area are reserved for other professional working in conjunction with the HOPE Family Centre, with the same pre-booking system as the four for the Council Staff.

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

6.1 This application follows the withdrawal of a similar application in May, where officers raised concerns in relation to policies TCR10 and E7 of the Herefordshire Unitary Plan as the site is detached from the central shopping and commercial areas of Bromyard.

- 6.2 Policy E7 within the UDP sets the provision for 'other employment proposals within and around Hereford and the market towns'. The use being proposed is considered to be of a small scale, however a Local Authority Multi Agency Office falls under part B1 of the use class order. In the supporting text of the UDP in paragraph 6.5.2 it is recognised that not all employment generating uses within Part B of the Use Class Order needs to be located within employment areas, and can offer a viable use for previously developed land and buildings within urban areas. In exceptional circumstances previously developed land which lies outside but adjacent to the settlement boundary of market towns may be considered.
- 6.3 The UDP also seeks to protect and enhance the vitality and viability of the Market Towns Centres, and within policy E7 it states that proposals for employment generating uses within and around Hereford and the market towns will be permitted where there are no other suitable sites or premises available within existing and proposed employment areas or within the settlement. This is carried through in paragraphs 24-28 of the NPPF which advises that applications for retail, leisure and office developments outside of town centres, which are not in accordance with an up-to date Local Plan, should require an impact assessment to assess the impact on the Town centre vitality and viability.
- 6.4 Policy TCR10 in the UDP deals more specifically with office development and does not encourage office development within the open countryside. The policy also requires that development is easily accessible to customers and staff by a choice of modes of transport and will not lead to an increase in the use of the private car. The application site is considered to be accessible given it is one of the main routes into the town centre.
- 6.5 It is acknowledged that the B1 use which is being proposed is fairly unusual. It is aimed not only at Council employees living within Bromyard Town but those living in the many rural villages and communities who surround it. Whilst its overall aim is to reduce the need to travel into the Hereford, in all likelihood employees using the facility are likely to arrive by car.
- 6.6 Within the Design and Access Statement it is identified that two other locations were looked at, those being The Queen Elizabeth Humanities College and The Bromyard Centre. Both were discounted due to lack of suitable space.
- 6.7 It is noted that the facility is one of seven Multi Agency Offices the Council have within the county. The others are located in the market towns with two within Hereford. The overall aim of the facility is to encourage Council Staff to use offices nearer their home to reduce the need to travel into Hereford. All the offices are located within buildings which have other uses such as schools or other offices. This is mainly due to the scale, nature and flexibility of the multi-agency offices, with the number of staff using them changing on a daily basis.
- 6.8 The application site is in an out-of-centre location and therefore given the policy context outlined above the main issue that needs to be considered with the proposal is the potential impact on the vitality and viability of Bromyard Town Centre. The issue is finely balanced, however by virtue of its scale and its nature, the proposal to allow a maximum of four council employees to use the multi-use area at any one time is considered to have a minimal impact on the vitality and viability of Bromyard Town Centre.
- 6.9 Given the neighbours' concerns consideration has also been given to the parking at the site. It is possible for all 4 Council Employees to arrive at the site by car and therefore policy T11 of the UDP requires all proposals to incorporate suitable provision for car parking. The Design and Access Statement states that there are four dedicated car parking spaces already allocated for staff utilising the MAO. It is also stated that staff are encouraged to use other methods to travel to the centre.
- 6.10 Condition 2 was attached to the DCNC0009/1820/CD application to ensure the development and facility was used for the function that it was intended to fulfil - as a community facility appropriate

in scale to the needs of the local community which it serves and to ensure that it was in keeping with the existing use on site. To vary the condition to allow four council employees to use part of the building to work in is not considered to detrimental to the overall use of the site which is as a community centre

- 6.11 Full consideration has been given to policies E7 and TCR10 of the UDP, however on balance and by virtue of its scale and nature the proposal is considered to represent a sustainable form of development, which in essence will be ancillary to the main overall use of the building as a community centre. Furthermore the scale of the proposal will not put additional pressure of the parking within the site. A condition requiring a travel plan to address and promote alternative sustainable means of transport will also assist in ensuring the scheme promotes sustainable transport initiatives.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. The use of the development hereby approved shall be strictly ancillary to the use of the existing premises on site (i.e. HOPE Family Centre), other than the Multi Use Area identified on drawing number PSD/H/13/MAO submitted under this application, which can be used by a maximum of four Herefordshire Council Employees as a multi agency office.**

Reason: To ensure that the development is in-keeping with the existing use on site and to comply with the requirements of Policy CF5 of the Herefordshire Unitary Development Plan.

- 2. The permission hereby granted is an amendment to planning permission DCNC0009/1820/CD dated 10 November 2010 and, otherwise than is altered by this permission, the development shall be carried out in accordance with that planning permission and the conditions attached thereto.**

Reason: For the avoidance of doubt and to comply with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 3. Within 3 months of the date of this permission a detailed plan identifying the 4 allocated parking spaces for the Council Employees shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than for the parking of Council Employees.**

Reason: In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

- 4. To ensure the development remains ancillary to the main use of the site a log book shall be kept of all Council Employees using the facility, identifying the date and times of use as well as their position held within the Local Planning Authority. The log book shall be made available at all times to the Local Planning Authority to inspect.**

Reason: To ensure that the development is ancillary with the main use of the site and the use as a community centre continues to comply with the requirements of

Policy CF5 of the Herefordshire Unitary Development Plan.

5. H30 Travel plans

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 132566/CD

SITE ADDRESS : HOPE FAMILY CENTRE, HEREFORD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4QU

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Further information on the subject of this report is available from Ms R Jenman on 01432 261961