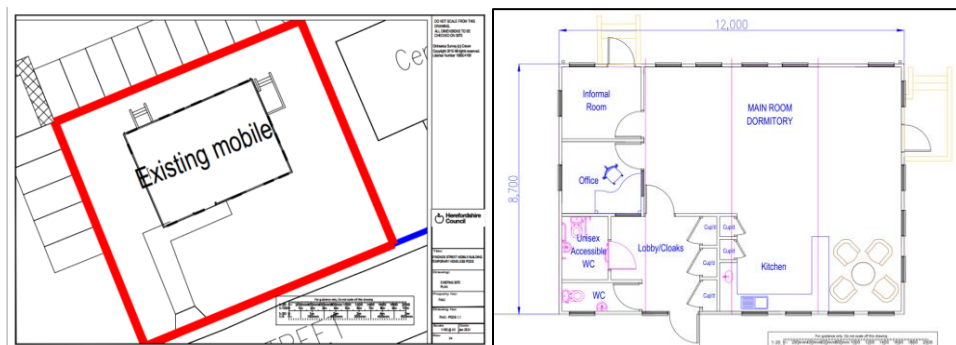


MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	21 August 2024
TITLE OF REPORT:	<p>240480 - TO EXTEND THE PERMISSION TO RETAIN THE MOBILE BUILDING ON SITE AS A SHELTER FOR TEMPORARY HOMELESS FOR A FURTHER 5 YEARS AT ST DAVIDS HALL, SYMONDS STREET, HEREFORD, HEREFORDSHIRE, HR1 2HA</p> <p>For: Mr Barnett per Mr Robert Scott, Plough Lane Offices, Plough Lane, Hereford, Herefordshire, HR4 0LE</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240480&search-term=240480
Reason Application submitted to Committee – Council application and objection received	

Date Received: 19 February 2024 Ward: Central Grid Ref: 351449,239967
Expiry Date: 23 August 2024
Local Members: Cllr Catherine Gennard

1. Site Description and Proposal

- 1.1 The application site comprises a single storey mobile unit on the northern side of Symonds Street, on the edge of the city centre. The area comprises residential properties and some commercial and community uses. The mobile unit is located adjacent to Venns Close car park and stands within a small area of grassland which is fenced off around its perimeter.
- 1.2 The site lies in the Central Conservation Area, adjacent to the Hereford Area of Archaeological Importance (AIA) and within a SSSI Impact Zone. It also falls within the River Wye Special Area of Conservation (River Lugg sub-catchment).
- 1.3 The proposal seeks continued consent for the use of the mobile unit as a homeless shelter for 5 years, following a temporary approval being granted consent in January 2024 (ref: 233422). The unit provides for 16 beds and the facility will have 2 wardens as a minimum who remain on site overnight. Plan extracts are inserted below for ease.



Further information on the subject of this report is available from Ms Maria Philpott on 01432 260000

1.4 It is intended that the facility will only be open overnight for sleeping and will not provide shelter during the day at the present time. Daytime access will just be for staff for restocking, cleaning and admin purposes.

1.5 There will be no external change to the existing building as part of this application.

2. Policies

2.1 The Herefordshire Local Plan Core Strategy 2011- 2031 relevant policies:

SS1	-	Presumption in favour of sustainable development
MT1	-	Traffic Management, highway safety and promoting active travel
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
LD4	-	Historic environment and heritage assets
SD1	-	Sustainable Design and energy efficiency
SD3	-	Sustainable water management and water resources
SD4	-	Waste water treatment and river water quality

2.2 The National Planning Policy Framework 2024 relevant chapters

2. Achieving sustainable development
4. Decision-making
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making Effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

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

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision, highways safety and safeguarding features of environmental value (amongst others) – have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight

2.5 Other documents of relevance

- The Herefordshire Council Plan 2024-2028
- Herefordshire Homelessness Prevention and Rough Sleeping Strategy 2020-2025

3. Planning History

- 3.1 233422 – Change of use of mobile classroom (Use Class F1) to temporary homeless shelter – Approved in January 2024 on a temporary basis for 6 months.

4. Consultation Summary

Statutory Consultations

- 4.1 Historic England: No comments to make
- 4.2 Welsh Water: No comments to make

Internal Council Consultations

- 4.3 Local Highway Authority:
No objections and no conditions required. The proposal has not changed from the original approval 233422 1st December 2024 and is in a sustainable central location with parking available in numerous locations locally.
- 4.4 Housing:
Informative comments given regarding damp and mould, excess cold, fire safety and amenity and facility standards.
- 4.5 Ecology:
No objection. There will be no changes to surface water management and the proposal will not result in an increase in residents residing in the city but to accommodate homeless people already based in the city. On this basis the proposal has been screened out of the Habitat Regulations Assessment (HRA) process and there is no need to formally consult Natural England. There are no comments regarding protected species although a wildlife informative is suggested.

5. Representations

- 5.1 Hereford City Council: Agrees to the extension but would like to see permanent accommodation found within the 5 years.
- 5.2 Third Party Representations – 1 letter of objection on the following grounds:
- Previous permission was just for the winter months;
 - Layout is an open dormitory which is not segregated;
 - No details regarding the hours the facility will be in use, the number of staff on site and the number of people the building will provide temporary accommodation for;
 - Proposal should be for a maximum of 30 months and the Council should look to provide a more permanent solution in a building designed for that purpose rather than a temporary building with a limited life span.

- 5.3 The consultation responses can be viewed on the Council's website by using the following link:-
https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240480&search-term=240480

6. Officer's Appraisal

Policy context and Principle of Development

Further information on the subject of this report is available from Ms Maria Philpott on 01432 260000

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. There is no Neighbourhood Development Plan for the area.

6.3 The proposal seeks the continued use of an existing mobile building as temporary homeless accommodation. The site is located in the City centre where the need for homeless accommodation is likely to be most prevalent but also close to residential and community areas so that it will be in keeping with neighbouring land uses. It is therefore considered to be a sustainable location for this type of development and accords with Policy SS1 of the Core Strategy.

6.4 It is also one of the Council’s Corporate Priorities in the Council Plan and the Homeless Prevention and Roughing Sleeping Strategy to provide suitable accommodation for homeless persons. The provision of temporary accommodation will provide accommodation for a short term period until more permanent accommodation can be provided.

Impact on Residential Amenity

6.5 The proposal will not result in any impacts to the occupiers of adjacent residential properties as the mobile unit is located within a defined area and a sufficient distance from other residential properties. The temporary accommodation will provide for the basic needs of occupants as a homeless shelter and is considered to be sufficient for its intended purpose. The proposal will therefore comply with policy SD1 of the Core Strategy.

Impact on Heritage Assets

6.6 Although the site is located within the Central Conservation Area, the proposed continued use as temporary homeless accommodation will preserve the character and appearance of the conservation area. No external changes or alterations to the building are proposed. This part of the conservation area is not particularly sensitive and although the presence of a temporary structure such as this is not ideal, it has been in place for many years and its use as a homeless shelter will far outweigh any potential harm to the conservation area. The proposal therefore conforms to Policy LD4 and LD1 of the Core Strategy.

Car Parking and Highways Safety

6.7 The proposal will not result in any adverse impacts to car parking or highway safety. It is noted that at the time of consideration of the previous temporary approval, the proposal would result in a loss of 3 car parking spaces. However, no objection was received then, or now as part of this application, regarding the loss of spaces and the requirement for the site as a homeless shelter outweighs any minor loss of car parking. There are also various other car parking opportunities throughout the city centre. The proposal is therefore in accordance with Policy MT1 of the Core Strategy.

Foul and Surface Water Drainage

6.8 Although the proposal will not result in the any increased likelihood of surface water run off which was acknowledged by Welsh Water as part of the previous application and their lack of comment on this application. Nevertheless the previous condition relating to surface water will be imposed again as part of this application.

6.9 In respect of foul drainage, the proposal will be connected to the mains sewer. The proposal will not be resulting in any net increase of residents to the City and therefore the HRA process is not required and there will be no harm to the SAC.

6.10 The proposal will therefore fully accord with policies LD2, SD3 and SD4 of the Core Strategy.

Conclusion

6.11 The application seeks the continued use of a mobile unit to provide temporary homeless accommodation for a 5 year period. The site is within a sustainable location and will cause no harm to residential amenities, the conservation area, highway safety or drainage. Conditions will be imposed regarding surface water and the temporary use.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. The development shall be carried out strictly in accordance with the approved plans set out below, except where otherwise stipulated by conditions attached to this permission.**

Approved Plans:

- **Location Plan - 7NA2 Rev V2;**
- **Existing site plan - 7NA2 PODS 1.1 V4;**
- **Existing layout plan - 7NA2 1.2 V1;**
- **Existing layout elevations - 7NA2 1.3 V1;**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 2. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain 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 pollution of or detriment to the environment and to comply with policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

- 3. This permission shall expire 5 years from the date of this permission, after which the use hereby approved shall permanently cease.**

Reason: To enable the local planning authority to give further consideration to the acceptability of the proposed use after the temporary period has expired and to comply with Policy (specify) of the Herefordshire Local Plan- Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

- 1. A The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the**

presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as all Bat species (roosts whether bats are present or not), Badgers, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.

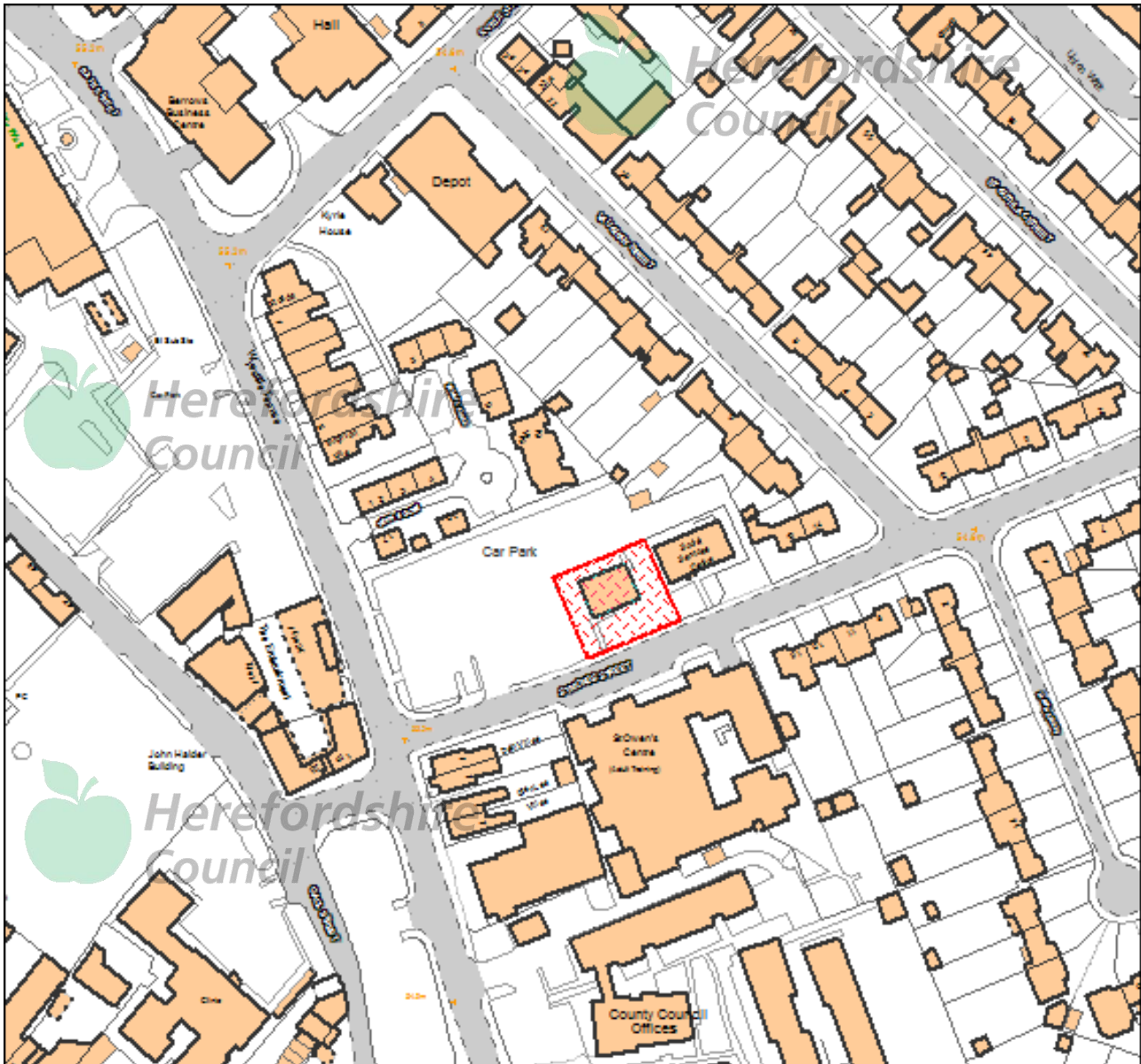
Decision:

Notes:

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Background Papers

None identified



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APPLICATION NO: 240480

SITE ADDRESS : ST DAVIDS HALL, SYMONDS STREET, HEREFORD, HEREFORDSHIRE, HR1 2HA

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