

11 DCCW2005/2394/F - TEMPORARY USE OF VACANT HOTEL CAR PARK FOR STORAGE OF PLANT AND MATERIALS IN CONNECTION WITH EIGN GATE REFURBISHMENT (RETROSPECTIVE) CURRENT FORECAST DATE OF RETURN TO EXISTING USE NOVEMBER 05 AT THE GREYFRIARS HOTEL, GREYFRIARS AVENUE, HEREFORD, HR4 0BE

For: Alun Griffiths (Contractors) Ltd, 21-23 Nevill Street, Abergavenny, Monmouthshire, NP7 5AA

Date Received: 20th July, 2005 Ward: St. Nicholas Grid Ref: 50669, 39569

Expiry Date: 14th September, 2005

Local Members: Councillors Mrs. E.M. Bew and Miss F. Short

1. Site Description and Proposal

- 1.1 The application site comprises part of the grounds surrounding the former Greyfriars Restaurant, which is located at the southern end of Greyfriars Avenue, within an established residential area. The application seeks retrospective planning permission to use the grounds as a temporary compound for a civil engineering contractor, to provide secure storage for plant and materials being used in the refurbishment of Eign Gate.

2. Policies

2.1 Hereford Local Plan:

Policy ENV17	-	Safety and Security
Policy CON12	-	Conservation Areas
Policy T11	-	Pedestrian Provision

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft);

Policy S2	-	Development Requirements
Policy S6	-	Transport
Policy HBA6	-	New Development within Conservation Areas

3. Planning History

- 3.1 None relevant.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

4.2 Traffic Manager: No objection.

4.3 Conservation Manager: No objection.

5. Representations

5.1 Hereford City Council: No objection.

5.2 Three letters of objection have been received from Mr. Powell, 7 Greyfriars Avenue; Mrs. Dickenson, 7 Greyfriars Avenue and Mr. Smith, 14 Greyfriars Avenue, which can be summarised as follows:

- General loss of residential amenity due to noise and vibrations;
- High frequency of disturbance from HGV's and Plant travelling to and from the site;
- Mud and dust is deposited along the highway;
- Site is not properly secured leading to issues of disorder in the evenings and at weekends.

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 It is considered that the following issues are fundamental to the determination of the application.

- Principle of Development
- Residential Amenity

Principle of Development

6.2 The application for the temporary use of the site as a civil engineering compound is required in connection with works to improve and update Eign Gate.

6.3 The project involves the complete resurfacing and renovation of the public highway in Eign Gate, and the application site is the closest available area of open land upon which the contractor was able to secure a temporary lease to provide a secure compound for the storage of associated plant and materials.

6.4 It is considered that there is a reasonable need for the temporary use of the land, to enable the redevelopment of Eign Gate in accordance with the objectives of Policy T11.

6.5 Although the applicant has indicated that the requirement for the temporary use of the land should cease in November 2005, it is considered expedient to grant temporary planning permission until the end of December 2005 to allow for any unforeseen delays in completing the works in Eign Gate.

Residential Amenity

- 6.6 Residents of Greyfriars Avenue have submitted letters of objection to the application. Their primary concern relates to the increased noise and disturbance, particularly in relation to vehicular movements.
- 6.7 Although it is acknowledged that the application site would not be suitable for a permanent site the application is for a temporary planning permission, and as such it is considered that the impact of the temporary use can be largely mitigated against through the imposition of conditions, restricting the hours of operation and requiring that the highway be kept clear of mud and debris.
- 6.8 Therefore it is not considered that the temporary use is so demonstrably harmful that the refusal of permission would be warranted.
- 6.9 With regard to the unauthorised access onto the site, which appears to be occurring outside of normal operational hours, it is not considered that this in itself is a material planning consideration but rather a security issue for the applicant to resolve.

Conclusion

- 6.10 On balance it is considered that this proposal is in accordance with the relevant planning policies, and on a temporary basis will be acceptable subject to the imposition of conditions to alleviate the impact of the temporary use on the residential amenity of the locality.

RECOMMENDATION

That temporary 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. E20 (Temporary permission).**

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

- 3. E10 (Use restricted to that specified in application).**

Reason: To suspend the provisions of the Town and Country Planning (Use Classes) Order currently in force, in order to safeguard residential amenity.

- 4. E01 (Restriction on hours of working).**

Reason: To safeguard the amenities of the locality.

- 5. F25 (Bunding facilities for oils/fuels/chemicals).**

Reason: To prevent pollution of the water environment.

6. F40 (No burning of material/substances).

Reason: To safeguard residential amenity and prevent pollution.

7. During the construction phase, the applicant shall ensure that the public highway is kept clear of mud and other debris in accordance with details to be submitted to and agreed in writing with the local planning authority, within one month of the date of this permission.

Reason: To protect the environment and amenities of nearby properties.

8. G16 (Protection of trees covered by a Tree Preservation Order).

Reason: To ensure the proper care and maintenance of the trees.

Informatives:

- 1. HN01 - Mud on highway.**
- 2. HN04 - Private apparatus within highway.**
- 3. N15 - Reason(s) for the Grant of PP.**

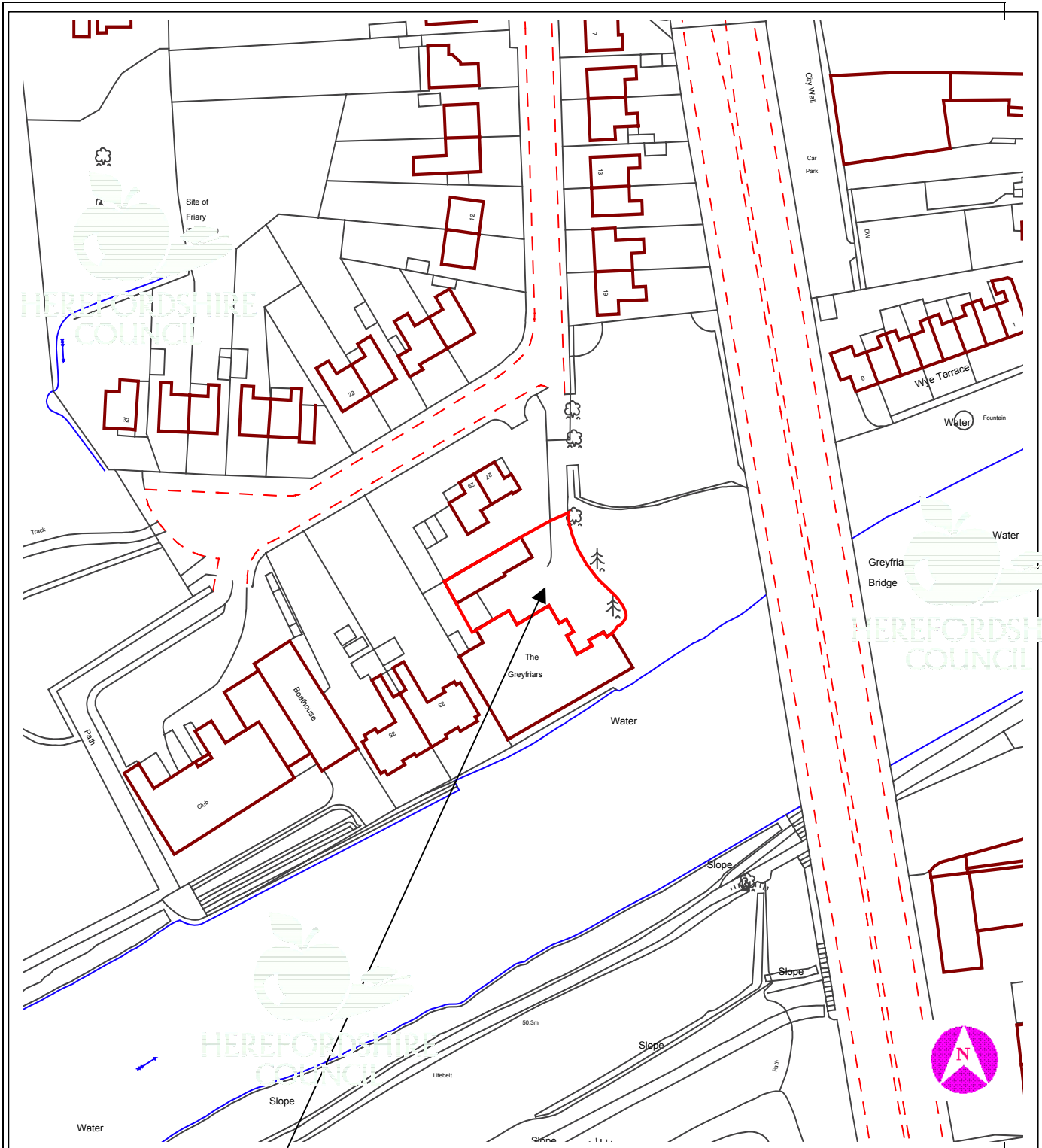
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2005/2394/F

SCALE : 1 : 1250

SITE ADDRESS : The Greyfriars Hotel, Greyfriars Avenue, Hereford, HR4 0BE

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