

**DCCE2006/0275/F - CHANGE OF USE TO EDUCATION/TRAINING FACILITY (TEMPORARY USE UNTIL 2008) AT UNITS 2, 3, 14 BARRS COURT TRADING ESTATE, HEREFORD, HR1 1BB**

**For: Mr. Burt, Herefordshire College of Technology, Folly Lane, Hereford, HR2 1LS**

**DCCE2006/0279/F - CHANGE OF USE TO EDUCATION/TRAINING FACILITY (TEMPORARY USE UNTIL 2008) AT UNITS 12/13 BARRS COURT TRADING ESTATE, HEREFORD, HR1 1BB**

**For: Mr. Burt, Herefordshire College of Technology, Folly Lane, Hereford, HR2 1LS**

**Date Received: 25th January 2006**

**Ward: Central**

**Grid Ref: 51343, 40607**

**Expiry Date: 22nd March, 2006**

Local Member: Councillor D.J. Fleet

## **1. Site Description and Proposal**

- 1.1 These applications seek temporary change of use from B1 (business) to D1 (non-residential institutions) to Units 2, 3, 12, 13 and 14 Barrs Court Trading Estate. Specifically, the Change of Use is sought to enable the use of these premises for education/training purposes by the Herefordshire College of Technology. These units are intended to provide temporary teaching accommodation as workshops until 2008 to facilitate the continuation of teaching while the college itself is redeveloped in accordance with the Hereford Learning Village Project.
- 1.2 The application premises form 5 out of 6 units within a building located in a broadly central location within the Barrs Court Trading Estate. The units are located within a designated established employment area in the Hereford Local Plan. In the Herefordshire Unitary Development Plan (Revised Deposit Draft) the site falls within the Canal Basin and Historic Core mixed use allocation of the 'Edgar Street Grid' and falls on the line of the designated Edgar Street/Commercial Road link road proposal.
- 1.3 Two applications have been submitted (DCCE2006/0275/F - Units 2, 3, 14, and DCCE2006/0279/F - Units 12 and 13). Both applications are considered under this single report.

## **2. Policies**

### **2.1 Planning Policy Guidance:**

PPS1 - Delivering sustainable development  
PPG13 - Transport

2.2 Hereford Local Plan:

ENV17	-	Safety and security
E2	-	Established employment areas
E6	-	Other uses on employment land
E7	-	Criteria for employment development
T5	-	Car parking - designated areas
T11	-	Pedestrian provision

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S4	-	Employment
S6	-	Transport
DR2	-	Land use and activity
T10	-	Safeguarding of road schemes
T11	-	Parking provision
TCR21R	-	Canal Basin and historic core

**3. Planning History**

- 3.1 DCCE2004/2124/F - Change of use to operational ambulance station (Units 12/13). Approved 17th August 2004.

**4. Consultation Summary**

Statutory Consultations

- 4.1 Environment Agency: No comment

Internal Council Advice

- 4.2 Forward Planning Manager: No objection to temporary permission.
- 4.3 Traffic Manager: Objection due to lack of details relating to traffic, person movement, and parking management.
- 4.4 Education: No objection.

**5. Representations**

- 5.1 Hereford City Council: No objection.
- 5.2 Neighbours - Objections were received to these proposals as follows:
- DCCE2006/0275/F; 5 letters from 3 sources
  - DCCE2006/0279/F: 2 letters

The objections received can be summarised as follows:

1. Inadequate parking arrangements;
2. Inappropriate use for areas dominated by light industrial uses;
3. Inadequate pedestrian facilities;

4. Highway safety implications for vehicles and pedestrians.
- 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 represent the key issues for consideration in the determination of these applications:
- Principle of development
  - Highway Issues
  - Amenity Impact

### Principle

- 6.2 This is a particularly sensitive location from a policy perspective in the context of the emerging Herefordshire Unitary Development Plan. In the context of the Hereford Local Plan the application site is located on safeguarded employment land under policy E2 – E6. Such land is therefore safeguarded for Class B employment uses. The proposed use falls under Class D1 and as such is contrary to policy.
- 6.3 Turning to the Herefordshire Unitary Development Plan, under the first deposit draft of this plan, the application site was located within safeguarded employment land under policy E5 of the Plan. As is the case with the Hereford Local Plan, such land is protected for Class B uses of the Use Class Order, and the proposal for an education/training facility this proposal would therefore also be contrary to policy. The significance of the long term re-development of the Edgar Street Grid, however, is that in the Herefordshire Unitary Development Plan Revised Deposit Draft the application units are located within policy area TCR21R of the Edgar Street Grid proposals, and on the designated line of the proposed link road (policy T10), which is of key strategic importance to the Edgar Street Grid area. Any proposal that would jeopardize the delivery of these proposals would be contrary to policy. In this context it is of significance that the proposal seeks temporary permission only. As the proposal is for a temporary change of use (2 years) it is considered that the proposal would not jeopardize the delivery of the link road or the wider aims of the Plan, and would therefore be acceptable.
- 6.4 Of further relevance is that the Property Department have highlighted that the units are soon to be vacated and Advantage West Midlands have expressed the desire to keep the Barrs Court Estate at its optimum income production in its pre-redevelopment stage. This proposal would offer a short term income source in line with this desire.
- 6.5 On the basis of the above, although an application for a change of use from Part B Uses to D1 Uses is contrary to policy in the adopted Hereford Local Plan, the proposal will not jeopardise the Edgar Street Grid proposals as set out in the emerging Herefordshire Unitary Development Plan. Furthermore, AWM and the Property Department are keen for the units to retain their economic potential until the redevelopment of the area occurs. As a temporary change, this scheme is considered acceptable in the policy context.

Highway Issues

- 6.6 The implications of this proposal upon highway related matters are of great significance. Parking, the movement of pedestrians, and the wider highway safety issues are all of concern in this employment location.
- 6.7 Following the initial response of the Traffic Manager raising an objection to this scheme, further details were submitted relating to the proposed use of these units by the HCT. It was confirmed that up to 75 students and 7 staff would be at the premise at any one time with a 9 till 5 Monday-Friday working week (plus occasional evenings/Saturdays) for 36 weeks of the year. A mini-bus will be used to transport students although some may arrive by foot or by car. A common room will be provided, together with a smoking area outside. All students and staff will enter the units via the access point to the front of unit 12 where a pedestrian walkway is available. The HCT's Estates Team will monitor student activity on site.
- 6.8 The parking associated with these units is not formally identified and did not appear to be controlled or restricted when these units were first introduced. The Traffic Manager has thus far yet to comment upon the above outlined methods of operation. The intention is for these units to be used as workshops, and although clearly the teaching element has implications, the permitted use of these units would not, it is suggested, be significantly dissimilar to that now proposed. Additionally, restrictive conditioning controlling parking, could ensure the use of this building can be controlled effectively. The temporary nature of this application would also ensure that no long term problems arise.
- 6.9 Having regard to the absence of final comments from the Traffic Manager, and in consideration of the safety implications for this Change of Use, it is considered appropriate to make a recommendation requiring the final approval of the Traffic Manager.

Amenity Impact

- 6.10 The broad use of these units as workshops for training purposes is not considered to have amenity implications in itself above and beyond those of the permitted use. However, student activities may result in additional nuisance with respect of litter and general activity. It is suggested that effective conditioning can ensure the maintenance of a clean and tidy site not resulting in undue disturbance to neighbouring users.
- 6.11 No external alterations are proposed and no residential properties fall within the sphere of influence of this site. It is therefore considered that no residential amenity issues are associated with this proposal and that the visual amenities of the locality will be preserved.

Conclusions

- 6.12 These applications do raise concerns, particularly from the context of highway safety. The wider implications of this use are, however, a material consideration. The HCT requires temporary accommodation during its reconstruction and having regard to the long-term intentions for this area it is suggested that this site offers the potential to meet this need without compromising the Edgar Street Grid proposal. Subject to agreement from the Traffic Manager, it is considered that this application represents an acceptable proposition.

**RECOMMENDATION**

That, subject to receipt of the confirmation of the acceptability of the parking and vehicle/pedestrian movements proposals, the Officers named in the Scheme of Delegation be authorised to approve the applications subject to the following conditions and any further conditions considered necessary by Officers:

- 1 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.

- 2 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 the future use of this site.

- 3 E27 (Personal condition).

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

- 4 E26 (Cessation of personal/time limited permission).

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

- 5 Prior to the commencement of development, a litter management plan shall be submitted to and approved in writing by the local planning authority. The management plan should include the provision of litterbins on the premises and information relating to regular litter patrols. The approved details shall be implemented prior to the first use of the premises which shall thereafter be operated in accordance with the management plan.

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

**INFORMATIVES:**

- 1 N03 - Adjoining property rights
- 2 N15 - Reason(s) for the Grant of PP/LBC/CAC

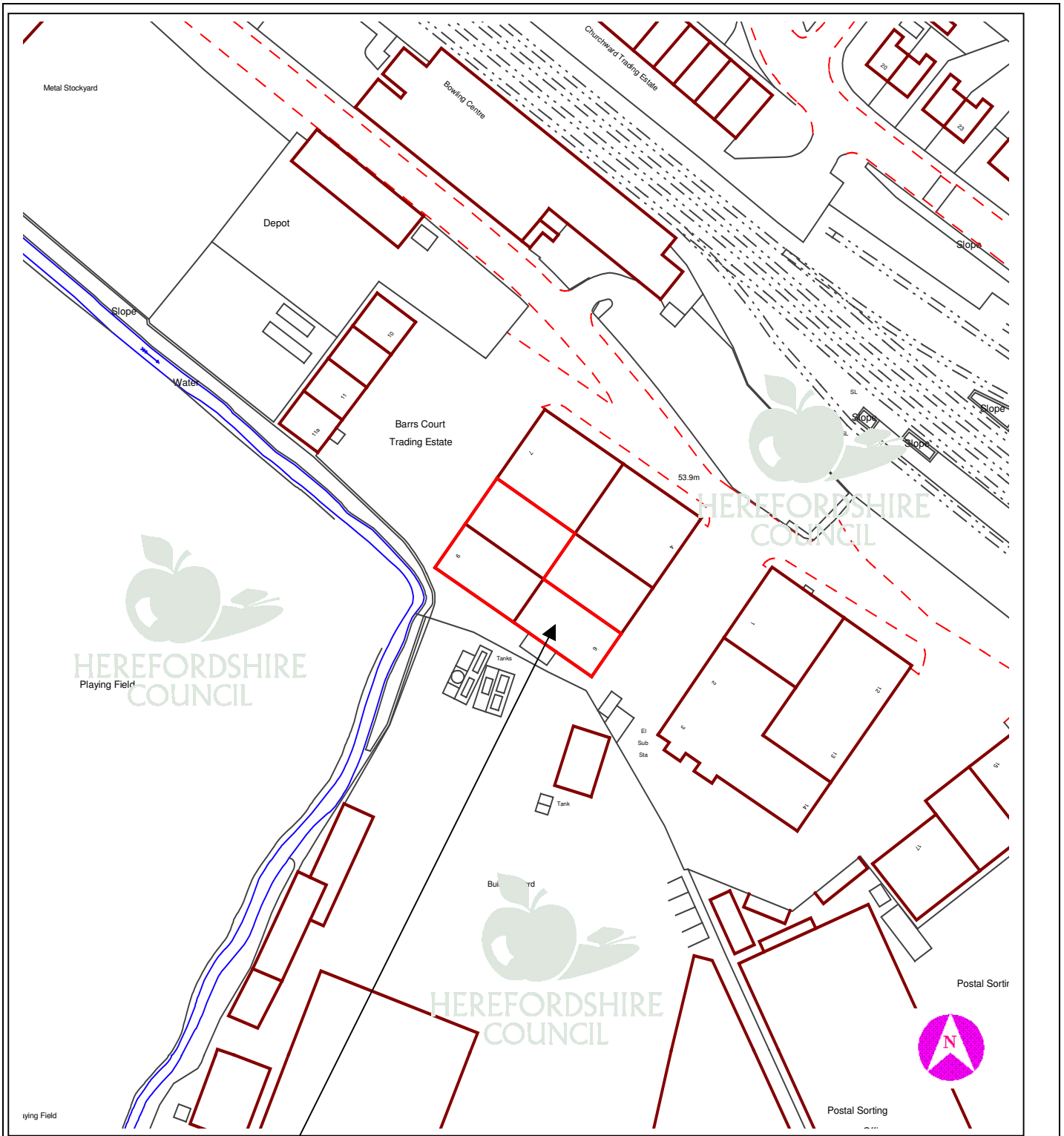
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



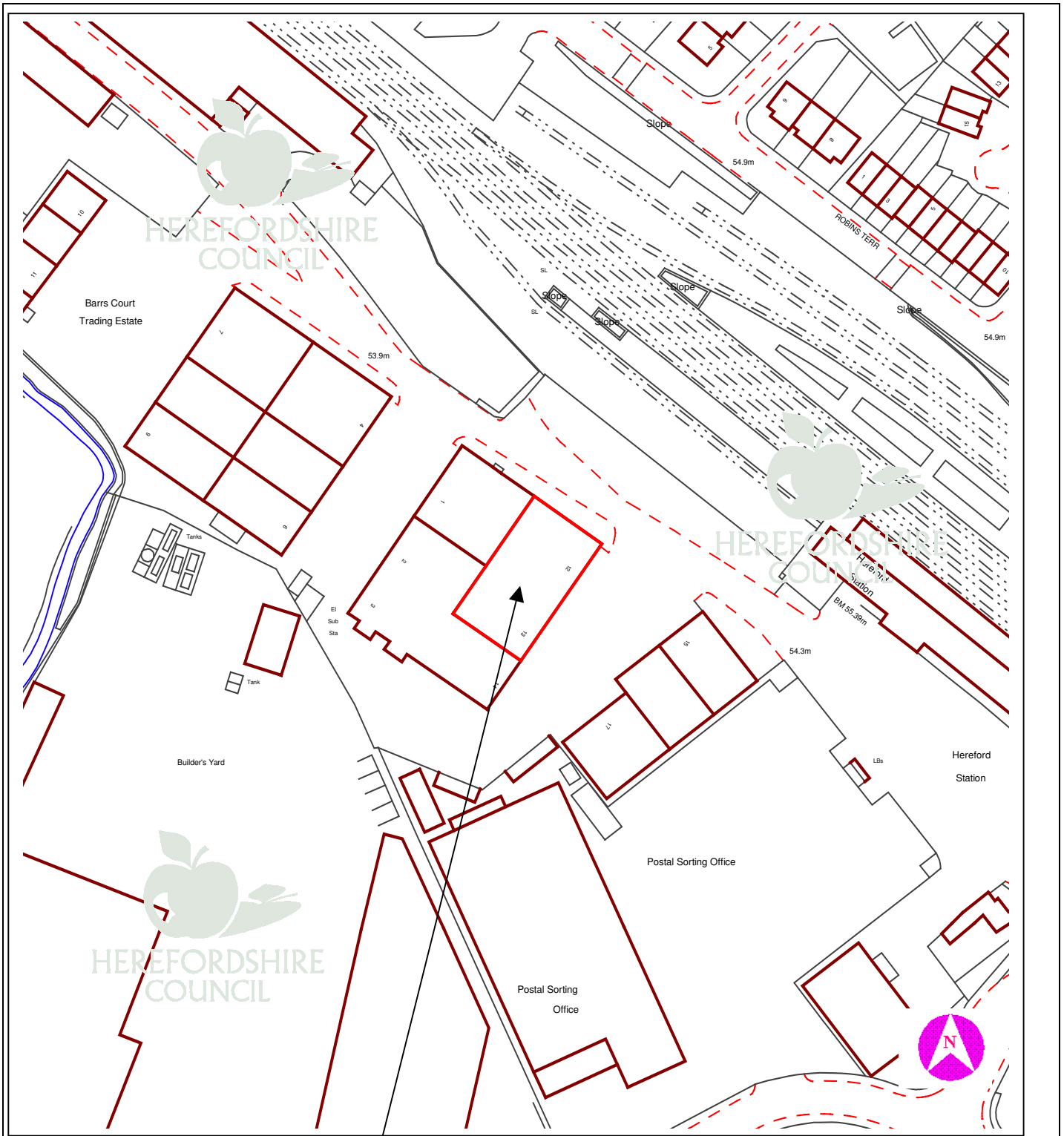
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**APPLICATION NO:** DCCE2006/0275/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Units 2, 3, 14 Barrs Court Trading Estate, Hereford, HR1 1BB

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**APPLICATION NO:** DCCE2006/0279/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Units 12/13, Barrs Court Trading Estate, Hereford

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