

6 DCCW2006/0960/F - PROPOSED HOTEL, A4 PUBLIC HOUSE OUTLET AND RESIDENTIAL DEVELOPMENT, DEVELOPMENT AT POMONA PLACE, HEREFORD, HR4 OLW**For: Regal Executive Homes, per Hook Mason Ltd., 11 Castle Street, Hereford, HR1 2NL****Date Received: 3rd April, 2006 Ward: St. Nicholas Grid Ref: 50303, 39945**
Expiry Date: 29th May, 2006

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

1. Site Description and Proposal

- 1.1 This site is located adjacent to the Cider Museum, Pomona Place, Hereford. It comprises vacant brownfield land sited to the south and east of the museum and bordered by the access road to Sainsburys to the east, Sainsbury's Car Park to the south and new residential development to the west accessed off Ryeland Street.
- 1.2 The proposal is essentially in two parts and is to erect a three storey contemporary building fronting onto the access road to Sainsburys. This will accommodate a Travel Lodge and public house (A4). The public house will occupy two thirds of the ground floor with the Travel Lodge utilizing the remainder with the two floors above to provide a 52 bed unit. In addition a separate residential element of similar design will be located in the corner of the site adjacent to the Sainsbury's access road and car park. This will be four storeys high and contain 6 two bed apartments together with 3 one bed apartments.
- 1.3 All three elements will have their own dedicated parking together with 18 parking spaces dedicated to the Cider Museum together with a coach turning and parking area.
- 1.4 The buildings are of a contemporary design and have been considerably amended since the earlier submission which was withdrawn. The pallet of materials provides for a curved zinc roof over elevations including vertical hardwood timber boarding, brick and render. Projecting window bays of grey aluminium would also add additional relief to the facade.
- 1.5 A public footpath adjoins the east and south of the site which has recently been temporarily closed due to its poor condition. This would be upgraded by the developers. In addition a package of measures are proposed which include highway improvements, CCTV provision and contributions towards education and public art.
- 1.6 The application is supported by a Design Statement, a Transport Assessment and a Chemical Investigation Report. A Flood Risk Assessment is awaited and the attached recommendation will reflect this outstanding requirement.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	Delivering Sustainable Development
PPG3	-	Housing
PPG13	-	Transport
PPG21	-	Tourism
PPG25	-	Development and Flood Risk

2.2 Hereford and Worcester County Structure Plan:

Policy E20	-	Tourism Development
Policy TSM1	-	Tourism Development
Policy CTC9	-	Development Requirements

2.3 Hereford Local Plan:

Policy ENV14	-	Design
Policy E6	-	Other Uses on Employment Land
Policy R17	-	Entertainment Facilities
Policy T5	-	Car Parking
Policy T11	-	Pedestrian Provision
Policy T12	-	Cyclist Provision
Policy R13	-	Public Rights of Way
Policy CON20	-	Skyline

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S6	-	Transport
Policy S8	-	Recreation, Sport and Tourism
Policy DR1	-	Design
Policy DR2	-	Land Use and Activities
Policy DR3	-	Movement
Policy Dr4	-	Environment
Policy DR5	-	Planning Obligation
Policy DR7	-	Flood Risk
Policy DR10	-	Contaminated Land
Policy DR13	-	Noise
Policy DR14	-	Lighting
Policy H1	-	Settlement Boundaries and Established Residential Areas
Policy H14	-	Re-use of Previously Development Land and Buildings
Policy H15	-	Density
Policy H16	-	Car Parking
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T11	-	Parking Provision
Policy T16	-	Access to All
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST12	-	Visitor Accommodation

3. Planning History

- 3.1 CW2001/0032/F Change of use for part of the site to A1 with 2 no. new retail units. Extensions and alterations to the Cider Museum with provision of additional car parking and incorporation of replacement Bulmers Staff Club. Withdrawn 28th May, 2002.
- 3.2 CW2002/2293/F Change of use from visitor centre to company social club including erection of a fire escape/plant room building. Approved 16th October, 2002.
- 3.3 H/P/22163 Change of use of building formerly used as head office of H P Bulmer to a Cider Museum. Approved 16th August, 1979.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: Comments awaited.
- 4.2 Welsh Water: Comments awaited.

Internal Council Advice

- 4.3 Traffic Manager: Comments awaited.
- 4.4 Head of Environmental Health & Trading Standards: Comments awaited.
- 4.5 Public Rights of Way: Comments awaited.

5. Representations

- 5.1 Hereford City Council: Comments awaited.
- 5.2 Open Spaces Society: Compliance with the requirements for Circular 5/94 'Planning out Crime' to prevent creating threatening alleyways and ensure public footpaths are lit at night.
- 5.3 The consultation expiry date for observations is the 27th April 2006 and any additional observations received before the Committee will be reported verbally.

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 The application falls to be considered under the following headings:
1. Principle of Development
 2. Design, Scale and Mass
 3. Transport Issues and Public Right of Way
 4. Impact on Adjoining Users
 5. Planning Obligation

Principle of Development

- 6.2 The site is located within an area identified in the Hereford Local Plan as safeguarded employment land. However, as most Members will be aware the majority of this area has now been redeveloped with housing. The Herefordshire UDP defines the site as “white land” i.e. land with no specific allocation where development proposals should be considered on their own merits having regard to other relevant policies. It is considered that in this context, a mixed use development would be acceptable in broad policy terms.

Design, Scale and Mass

- 6.3 The design of the two buildings has been significantly revised which has brought forward a contemporary design proposal that complements the recent additions to Sainsbury’s and the mixed character of the wider skyline. The walls will generally be constructed of brick off a ground floor base of render with a string course of stone. Elements of the façade will then be broken up with the use of vertical timber cladding and protruding glazed elements. Both buildings have a symmetrical appearance and will include curved zinc roofs, a striking element that would represent a contrast to the traditional roof forms of the residential development in the locality but will not appear out of context with the variety of other commercial buildings. The division of the two buildings provides for views into and out of the site.
- 6.4 The residential block forms a “corner” development with a tower created at the prominent corner to emphasize its position. This element is four storey with the remainder either side dropped down to three storeys
- 6.5 The hotel and public house although only three storeys in height will due to the additional head room at ground floor level be the same height as the four storey element of the residential block. The whole development however is reduced in height by the use of the barrelled roof which represents a significant reduction in overall scale from the larger withdrawn scheme.

Transport Issues and Public Right of Way

- 6.6 A Traffic Impact Assessment has been submitted with the application and this is being assessed by the Traffic Manager. A verbal report will be provided to Members.
- 6.7 The public footpath that adjoins the site will be upgraded in conjunction with the development of the site including its lighting.
- 6.8 The individual elements of this mixed use scheme are afforded designated parking with the hotel having 42 spaces, the public house 9 spaces and the residential scheme 10 spaces. An important feature of the proposal is the retention of 18 parking spaces and coach parking and turning for the museum. This provision is considered acceptable having regard to the location of site in relation to the city centre, transport links and other amenities.

Impact on Adjoining Uses

- 6.9 The Cider Museum will be provided with a dedicated car park and single space coach park and will still be readily visible when entering the site. Both buildings are proposed to be at the front of the site to reduce any impact on the residential development to the rear.

6.10 With regard to the modern residential development to the rear of the site the proposed residential block would be sited approximately 25 metres from the common boundary and in this elevation obscure glazing is proposed. The hotel and public house is located approximately 29 metres away. Both distances are considered acceptable to accommodate this form of development without unacceptable harm to existing occupiers. Conditional control is proposed with respect to the acoustic treatment of ventilation equipment and odour attenuation.

Planning Obligation

6.10 A draft Heads of Terms is attached to this report and Members will note that the following contributions are sought:

- (a) £1,000 per two bed dwelling (education contribution)
- (b) Contribution ensured for highway works/improvements (amount to be agreed)
- (c) 1% of the development cost of the site for public art
- (d) £35,999 for two CCTV cameras, one to focus on the car park and the other along Great Western Way

Conclusions

6.11 This part vacant and derelict site currently detracts from the character and appearance of the area. The development of a hotel/public house of this nature is supported by development policy and will enhance the tourism offer of Hereford bringing a much needed facility into the city. The residential block together with its own gated car park will provide added security to the site. The bold contemporary form of the two buildings will add to the attractive skyline of Hereford.

RECOMMENDATION

1) **Subject to there being no objection by the end of the consultation period, the Legal Practice Manager be authorised to complete a planning obligation under Section 106 of The Town and Country Planning Act 1990 to (set out Heads of Agreement) and any additional matters and terms as he considers appropriate.**

2) **Upon completion of the aforementioned obligation that the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission 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. **A06 (Development in accordance with approved plans).**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. **B01 (Samples of external materials).**

Reason: To ensure that the materials harmonise with the surroundings.

4. **F12 (Sound insulation of plant/machinery/equipment).**

Reason: To safeguard the amenity of the area.

5. **F16 (Restriction of hours during construction).**

Reason: To protect the amenity of local residents.

6. **F18 (Scheme of foul drainage disposal).**

Reason: In order to ensure that satisfactory drainage arrangements are provided.

7. **F22 (No surface water to public sewer).**

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

8. **F32 (Details of floodlighting (sports grounds)).**

Reason: To safeguard local amenities.

9. **F37 (Scheme of odour and fume control).**

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

10. **F38 (Details of flues or extractors).**

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

11. **F39 (Scheme of refuse storage).**

Reason: In the interests of amenity.

12. **F47 (Measures to deal with soil contamination).**

Reason: To ensure potential soil contamination is satisfactorily dealt with before the development is occupied.

13. **F48 (Details of slab levels).**

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

14. **G01 (Details of boundary treatments).**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

15. **G04 (Landscaping scheme (general)).**

Reason: In order to protect the visual amenities of the area.

16. G05 (Implementation of landscaping scheme (general)).

Reason: In order to protect the visual amenities of the area.

17. H13 (Access, turning area and parking).

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

18. H21 (Wheel washing).

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

19. H27 (Parking for site operatives).

Reason: To prevent indiscriminate parking in the interests of highway safety.

20. H29 (Secure cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informatives:

- 1. HN1 – Mud on highway.
- 2. HN02 – Public rights of way.
- 3. HN05 – Works within the highway.
- 4. N02 – Section 106.
- 5. N04 – Rights of way.
- 6. N15 – Reason(s) for the Grant of PP/LBC.

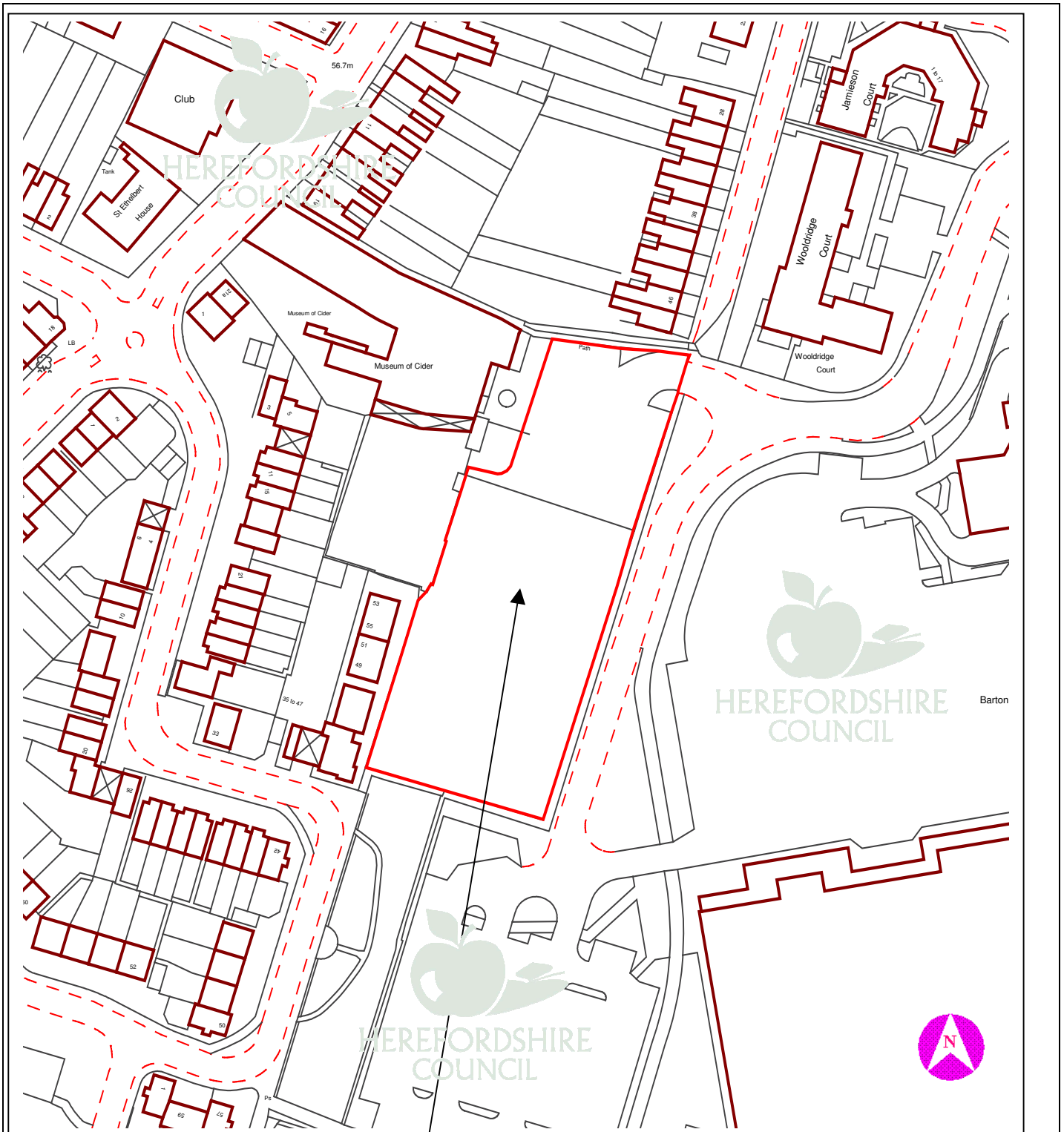
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/0960/F

SCALE : 1 : 1250

SITE ADDRESS : Development at Pomona Place, Hereford, HR4 0LW

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APPENDIX

DRAFT HEADS OF TERMS Proposed Planning Obligation Agreement Section 106 Town and Country Planning Act 1990

Planning Application – DCCW2006/0900/F

- Proposed Hotel, Public House(A4), and residential development
At Pomona Place, Hereford.
1. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £8000 to provide enhanced educational infrastructure for the nursery, primary and secondary schools within the catchment area of the application site which sum shall be paid on or before the commencement of the residential development.
 2. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £xxxx for highway works and improved transportation infrastructure to serve the development which sum shall be paid on or before the commencement of development.
 3. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - a) Traffic calming and improved signing on Grimmer Road/Whitecross Road
 - b) Contribution to Safe Routes for Schools
 - c) Improved bus shelters/stops in the locality of the application site
 - d) Improve lighting to highway routes leading to the site
 - e) Improved pedestrian and cyclist connectivity with the site
 - f) Improvements and lighting to the adjoining public footpath
 4. The developer covenants with Herefordshire Council to pay Herefordshire Council 1% of the development cost of the site for Public Art which sum shall be paid on or before the commencement of the development.
 5. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £35,000 for 2 x CCTV to serve the development which sum shall be paid on or before the commencement of development.
 6. In the event that Herefordshire Council does not for any reason use the said sum of Clauses 1, 2, 3 and 4 for the purposes specified in the agreement within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
 7. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.
 8. The developer shall complete the Agreement within 12 weeks and 5 days of the date the application is registered as valid otherwise the application may be registered as deemed refused.

Kevin Bishop - Principal Planning Officer
11th April, 2006