

12 DCNC2006/0882/F - VARIATION OF CONDITION 14 ON PP DCNC2005/0062 - EXTENTION TO OPENING HOURS FROM 6.00PM TO 9.00PM AT REAR OF TOP GARAGE OFF PANNIERS LANE, BROMYARD.

**For: Hope Family Centre per Herefordshire Council
Property Services Franklin House 4 Commercial Road
Hereford HR1 2BB**

Date Received:
22nd March 2006

Ward:
Bromyard

Grid Ref:
64469, 53876

Expiry Date:
17th May 2006

Local Member: Councillors P Dauncey and B Hunt

1. Site Description and Proposal

1.1 This application relates to the recently completed HOPE Family Centre on the Hereford Road in Bromyard. The site is located on the west side of the A465, Hereford Road, and to the north of Top Garage. Further to the north of the site itself lies a property known as Touchwood.

1.2 The application seeks to vary condition 14 of planning permission DCNC2005/0062/F which reads as follows:

The building hereby permitted shall not be open to use between the hours of 6.00pm and 7.00am daily.

Reason: In the interests of the amenities of existing residential property in the locality.

The request is that the condition is extended to allow the building to be used until 9.00pm.

2. Policies

2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

CF5 – New community facilities

3. Planning History

NC2005/1790/F - Variation of condition 14 of planning permission DCNC2005/0062/F to extend opening hours. Refused 14.09.05. for the following reason:

It is considered that the extended opening hours requested would have a detrimental impact upon the residential amenity of the adjoining occupier contrary to Policy CF5 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

NC2005/0062/F - Proposed new build family centre at rear of Top Garage. Approved 20.4.05.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: No objection.

4.3 Head of Environmental Health and Trading Standards: No objection as any increase in activity is not expected to cause significant disturbance to nearby residents.

5. Representations

5.1 Bromyard Town Council: Support the application.

5.2 One letter of objection has been received from Mr and Mrs Morris, Touchwood, Panniers Lane, Bromyard. In summary the points raised are as follows:

- There is no justification for the variation of the condition.
- The proposed variation will be detrimental to residential amenity by virtue of noise and light pollution caused by vehicles entering and leaving the car park.
- There are various other venues available for use in the evening including Bromyard Public Hall, the Leisure Centre, two local schools and seven local village halls.

5.3 Information submitted in support of the application reads as follows:

For the HOPE centre to deliver the core offer of Children's Centre, the operational hours need to encompass the evening hours of 6.00-9.00pm on weekdays.

The time in the evenings is a time when Children's Centre can offer training to parents and carers around such skills as baby sitting courses, supported theory work for passing driving tests and wider skills for life around parenting, IT, healthy eating and family support more broadly.

The evening activities and training are necessary to enable both capacity, flexibility and access around delivering the Government's agenda through Children's Centres, in improving life chances.

5.4 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The key consideration of this application is whether the increase in opening hours from 6.00pm to 9.00pm will cause a significant increase in detriment to adjoining residential amenity to warrant the refusal of this application, and whether the justification for the extension of hours allows a different decision from the earlier refusal.
- 6.2 The comments of the Environmental Health Officer make specific reference to the amenity of nearby residents and concludes that an increase in activity is not expected to cause significant disturbance.
- 6.3 Additional information accompanies this application which was lacking from the refusal under reference NC2005/1790/F. The intention is to provide adult evening classes to support the building's primary use as an adult centre.
- 6.4 The objectors question the need to extend opening hours, referring to other buildings that can provide facilities for evening classes. They are also concerned that their amenity will be further eroded.
- 6.5 The concerns raised are not borne out by the Council's Environmental Health Officer in relation to amenity. Whilst other buildings may well be available for evening use, it is not the role of the planning system to limit availability on such a basis.
- 6.6 It is therefore concluded that sufficient additional information has been provided to allow your officers to make a different recommendation to the previous refusal. The proposal accords with Policy CF5 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and therefore the application is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - The premises shall not be open to use between the hours of 9.00pm and 7.00am daily.**

Reason: In the interests of residentiala amenity.

- 2 - A10 (Amendment to existing permission) (DCNC05/0062/F) (20 May 2005)**

Reason: For the avoidance of doubt.

Informative:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

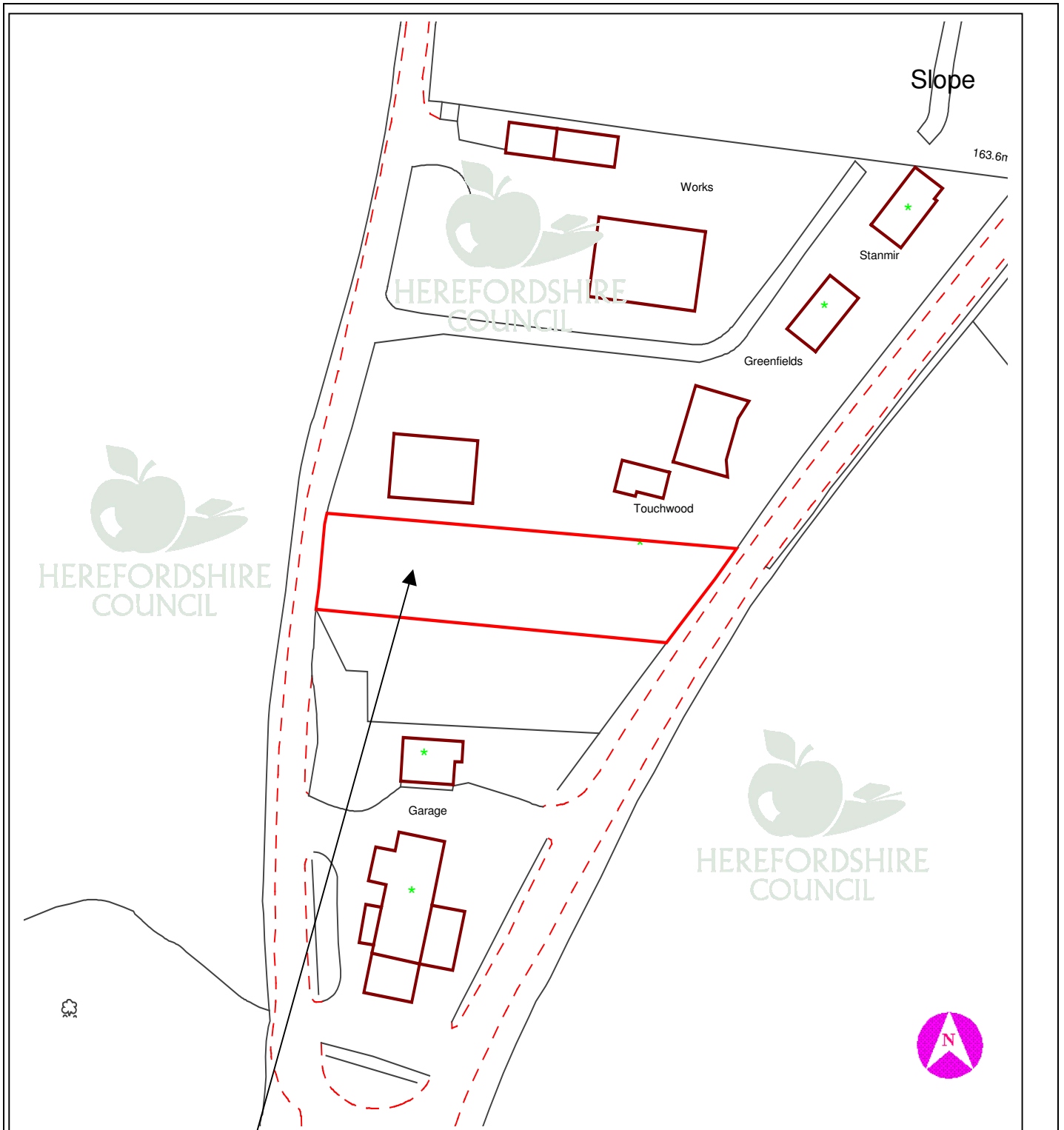
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNC2006/0882/F

SCALE : 1 : 1250

SITE ADDRESS : Rear of top garage off Panniers Lane, Bromyard.

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005