

THE RIGHT WORSHIPFUL THE MAYOR OF HEREFORD COUNCILLOR KEVIN TILLET AND ALL MEMBERS OF THE PLANNING & HIGHWAYS COMMITTEE: Cllrs Andrews, Boulter, Carwardine, Foxton, Hobbs and Milln.

You are hereby summoned to the meeting of the Planning and Highways Committee to be held at the Town Hall, Hereford at 6pm on THURSDAY 30 MAY 2024. The agenda for which is set out below.

Karen Davis
Town Clerk



HEREFORD CITY COUNCIL

MEETING OF THE PLANNING & HIGHWAYS COMMITTEE

**Committee Room, Town Hall, Hereford
THURSDAY 30 MAY 2024 at 6pm**

AGENDA

At the start of the meeting the chairman will remind all present of the fire evacuation procedure.

- 1. ELECTION OF CHAIR AND VICE-CHAIR**
To elect a Chair and Vice-Chair for the Municipal Year.
- 2. APOLOGIES FOR ABSENCE**
To accept apologies for absence.
- 3. APPOINTMENT OF SUBSTITUTES**
To note the appointment of substitute members under Standing Orders (if any).
- 4. DECLARATIONS OF INTEREST**
To receive declarations of interest made by Members under the Herefordshire Code of Conduct pursuant to the Localism Act 2011 in respect of items on the agenda.
- 5. MINUTES OF PREVIOUS MEETING OF THE COMMITTEE** **APPENDIX ONE**
To confirm the minutes of the meeting of 2 May 2024 as an accurate record.
- 6. DISTRICT COUNCIL MEMBERS**
To consider resolving that the participation of those City Councillors who are also members of the County of Herefordshire District Council in both the debate and any subsequent vote on matters contained in this agenda is on the basis that the views expressed are preliminary views

taking account of the information currently available to the City Council and that District Councillors reserve their final views on all applications until they are in full possession of all relevant information both for and against.

7. POLICY ISSUES

To receive any updates on matters relating to the Area Plan, the eastern river crossing or enforcement.

- Commercial Road, Newmarket & Blueschool Street Design Proposals – verbal feedback from attendance at consultation meeting

8. APPLICATIONS FOR PLANNING PERMISSION

APPENDIX TWO

Applications for planning permission and similar matters referred to the City Council by the County of Herefordshire District Council under Paragraph 8 to Schedule 1 of the Town and Country Planning Act 1990 in terms of consultation:

To consider applications for planning permission, listed building consent, advertisement consent, notifications of proposals to carry out works to trees, licensing applications including any delegated decisions, and to determine what representations in respect thereof shall be made to the local Planning Authority under powers delegated to the committee by the City Council.

9. CORRESPONDENCE

APPENDIX THREE

Appeal Decision 230697 - Land at junction of College Road and Roman Road Hereford
Appeal Decision 230654 - Land adj to Cherry Tree Close, Hereford

10. NEXT MEETING

The date of the next meeting after this will be 27 June 2024 at 6pm.

Further information – If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact the Administration & Events Manager, Becci O'Reilly, on Tel: 01432 260468, email: becci.oreilly@herefordcitycouncil.gov.uk



HEREFORD CITY COUNCIL

PLANNING & HIGHWAYS COMMITTEE – 2 MAY 2024

MINUTES OF MEETING

PRESENT: Cllrs Polly Andrews, Elizabeth Foxton, Debbie Hobbs, Jeremy Milln and Dan Powell.

ATTENDING: Becci O'Reilly, Administration & Events Manager

P2023/24.92 APOLOGIES FOR ABSENCE

Cllrs Sue Boulter and Sam Potts

P2023/24.93 APPOINTMENT OF SUBSTITUTES

None

P2023/24.94 DECLARATIONS OF INTEREST

None

P2023/24.95 MINUTES OF PREVIOUS MEETING

It was proposed by Councillor Powell, seconded by Councillor Foxton and unanimously

RESOLVED That the Minutes and Draft Responses of the Meeting of 4 April 2024 were an accurate record.

P2023/24.96 DISTRICT COUNCIL MEMBERS

It was

RESOLVED that the participation of those City Councillors who are also members of the County of Herefordshire District Council in both the debate and any subsequent vote on matters contained in this agenda is on the basis that the views expressed are preliminary views taking account of the information currently available to the City Council and that District Councillors reserve their final views on all applications until they are in full possession of all relevant information both for and against.

P2023/24.97 POLICY ISSUES

Draft Local Plan 2021-2041 – see 'Draft Responses' document.

P2023/24.98 APPLICATIONS FOR PLANNING PERMISSION

For further information on the outcome of planning application decisions, please see the 'Draft Responses' item corresponding to this meeting. It was

RESOLVED to submit planning application decisions to Herefordshire Council.

P2023/24.99 CORRESPONDENCE

None

P2023/24.100 DATE OF NEXT MEETING

Thursday 30 May 2024 at 6pm.

There being no other business the Chair declared the meeting closed at 7pm

Signed

Date

DRAFT

PLANNING COMMITTEE 30 May 2024
PLANNING APPLICATIONS AND OTHER ITEMS FOR CONSIDERATION
 (All applications on the list have been 'called in' by Councillors)

Planning Applications:

Number	Address	Ward	Description	Link to Application info
240949	Former Public Conveniences, East Street, Hereford	Central	Change of use, remodel and refurbishment of redundant former public conveniences to provide 3 number temporary homeless sleeper pods.	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240949&search-term=240949

Licensing:

Unit 2 Capuchin Yard, Church Street, Hereford, HR1 2LR	The Garden Café See attached licence consultation
High Town, Hereford, HR1 2AA	Hereford Applefest See attached licence consultation
Hereford Rugby Club, Belvedere Lane, Hereford, HR4 0PH	Wye Float See attached licence consultation

Consultation:

Draft Pastoral Scheme, St Nicholas' Church, Hereford – additional information since original consultation

TalkCommunityEnquiries
Cllr Catherine Gennard
Via Email

Dear Sir/Madam

An application has been received on 29 April 2024 for a grant of a premises licence at:

The Garden Café, Unit 2 Capuchin Yard, Church Street. Hereford. HR1 2LR

Applied for:

Licensable Activities

**Recorded Music (Indoors), Sale/Supply of Alcohol (consumption on the premises)
Monday – Saturday 10:00 – 22:00**

Consultation dates are as follows: Begins **30 April 2024** and ends **27 May 2024**

Any representation should address one of the four licensing objectives:

- Prevention Crime & Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

A copy of the application can be found at the below website within 24hrs (working days only) of the date on this memo.

<https://www.herefordshire.gov.uk/business-1/current-licensing-applications>

Details on how to make a representation can be found at the below website address

<https://www.herefordshire.gov.uk/business-1/current-licensing-applications/2>

Any representations need to have name/address and contact details and should be emailed to licensing@herefordshire.gov.uk no later than **27 May 2024** addressing the four licensing objectives above.

Yours faithfully

EMMA BOWELL
SENIOR LICENSING TECHNICAL OFFICER

TalkCommunityEnquiries
Cllr Catherine Gennard

Via Email

Dear Sir/Madam

An application has been received on 30 April 2024 for a Grant of a premises licence at:

Hereford Applefest, High Town, Hereford. HR1 2AA

Licensable Activities and Timings:

The licence will only be used for one event per year which will take place between the 20th September and 10th October

**Live music (Outdoors), Recorded Music (Outdoors), Sale/Supply of alcohol (Consumption On and off the premises) 12:00 – 21:00
Performances of dance (Outdoors) 12:00 – 18:00,**

Consultation dates are as follows: Begins **1 May 2024** and ends **28 May 2024**

NB: The previous application could not be determined due to the advertising regs not being complied with, so it has been re-submitted but this time, the applicant has applied for a permanent premises licence allowing them one event per year

Any representation should address one of the four licensing objectives:

- Prevention Crime & Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

A copy of the application can be found at the below website within 24hrs (working days only) of the date on this memo.

<https://www.herefordshire.gov.uk/business-1/current-licensing-applications>

Details on how to make a representation can be found at the below website address

<https://www.herefordshire.gov.uk/business-1/current-licensing-applications/2>

Any representations need to have name/address and contact details and should be emailed to licensing@herefordshire.gov.uk no later than **28 May 2024** addressing the four licensing objectives above.

Yours faithfully

EMMA BOWELL
SENIOR LICENSING TECHNICAL OFFICER
Environmental Health & Trading Standards

TalkCommunityEnquiries
Cllr Diana Toynbee

Via Email

Dear Sir/Madam

An application has been received on 7 May 2024 for a grant of a premises licence at:

Wye Float, Hereford Rugby Club, Belvedere Lane Hereford. HR4 0PH

Applied for:

Licensable Activities

One weekend event per year which will take place between the 1st July & 1st September

**Live Music (Outdoors), Friday 17:00 – 22:00, Saturday 10:00 – 24:00, Sunday 10:00 – 15:00,
Recorded Music (Outdoors), Sale/Supply of Alcohol (consumption on the premises) Friday 17:00 –
22:00, Saturday 10:00 – 23:30, Sunday 10:00 – 15:00;
Performance of Dance (Outdoors) Saturday 10:00 – 23:30;
Late Night Refreshment (Outdoors) Saturday 23:00 – 24:00**

Consultation dates are as follows: Begins **11 May 2024** and ends **7 June 2024**

Any representation should address one of the four licensing objectives:

- Prevention Crime & Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

A copy of the application can be found at the below website within 24hrs (working days only) of the date on this memo.

<https://www.herefordshire.gov.uk/business-1/current-licensing-applications>

Details on how to make a representation can be found at the below website address

<https://www.herefordshire.gov.uk/business-1/current-licensing-applications/2>

Any representations need to have name/address and contact details and should be emailed to licensing@herefordshire.gov.uk no later than **7 June 2024** addressing the four licensing objectives above.

Yours faithfully

EMMA BOWELL
SENIOR LICENSING TECHNICAL OFFICER
Environmental Health & Trading Standards



 THE CHURCH
OF ENGLAND

CHURCH
COMMISSIONERS

Matthew Crowe

Senior Case and Policy Advisor
Pastoral Department

Our ref: NB18/274BX

16th May 2024

Mission and Pastoral Measure 2011
Diocese of Hereford

The Church of Saint Nicholas, Hereford

The Bishop of Hereford has asked us to prepare a draft Pastoral Scheme in respect of pastoral proposals affecting this church.

I attach a copy of the draft Scheme, Explanatory Notes, plan, and a glossary of terms used together with the Notice. I am sending a copy to all the statutory interested parties, as the Mission and Pastoral Measure requires, and any others with an interest in the proposals.

Anyone may make representations **for** or **against** all or any part or parts of the draft Scheme (please include the reasons for your views) by post or, preferably, by email to reach me no later than midnight on **Monday 24th June 2024**. If we have not acknowledged receipt of your representation before this date, please ring or e-mail me to ensure it has been received. For administrative purposes, a petition will be classed as a single representation and we will only correspond with the sender of the petition, if known, or otherwise the first signatory for whom we can identify an address – “the primary petitioner”.

If we do not receive representations against the draft Scheme, we will make the Scheme and it will come into effect as it provides. A copy of the completed Scheme will be sent to you together with a note of its effective date.

If we receive any representations against the draft Scheme, we will send them, and any representations supporting the draft Scheme, to the Bishop whose views will be sought. Individual representors and the primary petitioner will then receive copies of our correspondence with the Bishop (including copies of all the representations). They and individual petitioners may comment further. Copies of all of the representations received and associated correspondence will normally be published on the Commissioners' website if the matter needs to be considered by us.

Those making representations should indicate whether they would like an opportunity to speak to the Commissioners regarding their representations in the event the Commissioners decide a hearing should be held. Meetings are normally held at Church House, Westminster. If a hearing is held, we will let you know the arrangements for attending (in person or virtually) and details will also appear on our website. Otherwise, if a hearing is not to be held, the case will be considered in private and you will be informed accordingly.

When we acknowledge representations we will let individual representors (and the primary petitioner) know the next few dates of our Committee's meetings. We will confirm the actual date of any hearing nearer the time. The Commissioners will decide if the draft Scheme should proceed when they consider all the representations on the basis of a paper prepared by their staff and any points raised at the meeting. If the Commissioners do so decide, any representor or petitioner against the draft Scheme may seek leave from the Privy Council to appeal against the decision.

You will be informed of the Commissioners' decision and the reasons for it.

Please see www.churchofengland.org/consultation for further information about the procedure.

PCC Secretaries, incumbents/priests-in-charge/rural deans, persons taking services during the Notice Period and local planning authorities should refer to the relevant notes below for important additional information concerning them.

Matthew Crowe

Case Officer

Notes

1. PCC Secretaries

The draft Scheme is sent to you as PCC Secretary. Please ensure that it is drawn to the attention of the other members so the PCC as a body is able to make any comments on the draft if it wishes.

You are required as soon as possible to:

- i) print and display the Notice (***please display single-sided where possible***) at or near the main door of ***every*** parish church, chapel of ease or licensed place of worship in your parish; (if you are unable to print the Notice please get in touch with me and I will make arrangements for copies to be sent to you for display);
- ii) Please make a copy of the Scheme available in each church building;

- iii) make arrangements for the Announcement (see 2. below) to be made at as many services as possible at every parish church, chapel of ease or licensed place of worship in your parish where a service is held during the notice period (including any that are 'streamed').

Please e-mail or telephone me confirmation as soon as you have displayed the Notice(s) and made arrangements for the announcements to be made. Do not wait until the end of the notice period before confirming this.

Although the following are not legal requirements, to ensure that as many of those who habitually attend public worship, as is practicable, are aware of the contents of the Notice and draft Scheme, you are also encouraged to take (or make arrangements for), where possible, such of the following steps as is appropriate in your parish:

- i) arrange for copies of the Notice and draft Scheme to be posted to members of the worshipping community who are shielding or self-isolating (in accordance with the general advice to parishes this should be by the postal service and not hand delivered);
- ii) insert the Notice in the parish magazine or newsletter;
- iii) display the draft Scheme with the Notice at every parish church, chapel of ease or licensed place of worship in your parish;
- iv) use Facebook/social media posts;
- v) send emails; and
- vi) spread by word of mouth, including pastoral telephone calls.

Please make a note of what you have been able to do regarding steps i) to vi) above in case the consultation process is queried.

If you are no longer the PCC Secretary, please pass this communication to the current Secretary and let me have a note of his or her name and email/postal address.

Further action required as there is a proposed church closure

In addition to the above, a copy of the draft Scheme must be made available for inspection in the locality – the arrangements for this will already have been made with the parish concerned.

If you are the person doing this, will you please let me know that you have taken this additional step.

2. The Announcement

Anybody taking services (including those that are 'streamed') during the Notice Period should ensure that the following announcement is made.

“A Notice giving the objects of proposed pastoral reorganisation affecting this parish has or will be displayed near the main door and on the Church of England website. The Notice includes the last date by which representations regarding the proposed reorganisation may be made to the Church Commissioners.”

PCC Secretaries – please note that it is essential that:

- i) Notices are displayed; and
- ii) arrangements are made for Announcements.

3. Incumbents/priests-in-charge/rural deans

Please ensure that the required Notices are displayed and Announcements made.

If a PCC Secretary is not able to carry out these requirements, please could you arrange for these matters to be dealt with as soon as possible. Please also let me know if there has been a recent change of Secretary in any of the parishes.

4. Local planning authorities and parish councils

We serve notice on the local planning authority and parish council of the parish in which the affected church building is situated as interested parties under the Mission and Pastoral Measure. Although County and Town Councils are not defined as interested parties under this Measure, please copy this correspondence to either of these parties if you feel this would be helpful. Ward Councillors for the affected parish(es) have been sent a copy of the draft Scheme.

**EXPLANATORY NOTE
MISSION AND PASTORAL MEASURE 2011
DRAFT PASTORAL CHURCH BUILDINGS SCHEME
HEREFORD ST NICHOLAS
DIOCESE OF HEREFORD**

This note accompanies a draft scheme under the Mission and Pastoral Measure 2011 which makes provision for the future of a church building, The Church Commissioners provide this information so that interested parties can understand the background to the proposals, make a reasoned judgement on the merits of the draft scheme and, if they see fit, a reasoned expression of support or objection to it.

The Current Proposals

The Bishop of Hereford has approved proposals for the closure of Hereford St Nicholas for regular public worship and recommended to the Church Commissioners that the church building and annexed land be sold to Encore Enterprises CIO (registered charity number 08129506) for community, cultural and/or educational purposes, and/or for occasional Christian worship, services, and other religious activities.

Background and Diocesan Rationale

Following a slow decline in congregational numbers, a decision was made by the Parochial Church Council (PCC) of St Nicholas to begin the closure process and explore how to release the church building for an alternative suitable use. This has come following careful consideration of a range of factors, including financial, building, pastoral and congregational realities.

Over many years, the dwindling congregation has continued to maintain a presence in the building, whilst also making every reasonable effort to establish the future sustainability of the church. However, these efforts have not borne the hoped-for outcomes, particularly in terms of congregational growth.

Encore Enterprises is Herefordshire's largest provider of adult community music, school music, musical activities for young people and music education training. They are a registered charity and were formed in July 2012 out of the former county music service.

Should the Scheme proceed it is intended that Encore Enterprises will take ownership of the church building and part of the churchyard and be responsible for its repair, ongoing maintenance, and authorised uses.

The Building

St Nicholas' is a large, prominent Grade II listed building situated in the Hereford Central Conservation Area. Built c 1842 by Thomas Duckham of Hereford of ashlar stone and Welsh slate roofs it consists of nave, aisles and west tower and makes a positive contribution to the local area.

The interior is relatively plain, described by Pevsner as wide and barren. The walls are painted plaster with stone surrounding the windows. There are some memorials on the walls. The building is heavily pewed, although there is some open space at the west end to provide some flexibility in the building. The current pews replaced earlier box pews and were installed during a major reordering of 1910.

Planning and Access

Neither planning consent nor listed building consent are required for the proposed use. Community, cultural, educational, and occasional Christian worship uses fall within the current F1 Planning Use Class and no alterations requiring a listed building consent are proposed to the building.

Access to the church property is direct from the public highway.

Burials and the Churchyard

The churchyard contains burials. The retained churchyard will continue to be maintained by the Local Authority and continued access for those wishing to visit and tend all graves, and the War Memorial will be legally provided for. None of the graves are listed or cared for by the Commonwealth War Graves Commission.

Correspondence

Further information on the proposed closure and future use of the church property can be obtained from the Closed Churches Case Officer, Sarah Mellor by e-mail at sarah.mellor@churchofengland.org or by telephone at 07824 581491.

Representations against or in support of the draft Scheme

Anyone may make a representation for or against any provision of the draft Scheme.

Representations must be made in writing or by e-mail and should be sent to:

Matthew Crowe
Pastoral Division, Church Commissioners
Church House
Great Smith Street
London SW1P 3AZ

or by e-mail to: matthew.crowe@churchofengland.org

Any communication received after **Monday 24th June 2024** cannot be treated as a representation.

If we receive representations against the draft Scheme, we will send all representations, both for and against, to the Bishop, whose view will be sought. Individual representors will then receive copies of our correspondence with the Bishop (including copies of all the representations) and they may comment further in writing to us in light of the diocesan response if they so wish.

If no representations against the Scheme are received, the Commissioners shall make the Scheme and bring it into effect as provided for in the scheme.

Information on the Mission and pastoral Measure 2011 and its procedures can be found on the Church Commissioners' website at www.ccpastoral.org where there are also links to download copies of these notes and the draft scheme.

16th May 2024

SUMMARY OF MAIN PROVISIONS OF DRAFT SCHEME (NOT PART OF THE DRAFT SCHEME)

This draft Scheme provides for the parish church of the parish of Saint Nicholas, Hereford in the diocese of Hereford to be declared closed for regular public worship and appropriated to use for community, cultural and/or educational purposes and for occasional Christian worship.

Further details of the background to these proposals are set out in the accompanying explanatory notes.

DRAFT

PASTORAL CHURCH BUILDINGS SCHEME

This Scheme is made by the Church Commissioners ("the Commissioners") this day of 20[] in pursuance of the Mission and Pastoral Measure 2011 ("the 2011 Measure"), the Right Reverend Richard, Bishop of Hereford, having consented thereto.

PART I

Declaration of closure for regular public worship

1. (1) The church of Saint Nicholas, ("the building"), being the parish church of the parish of Saint Nicholas, Hereford in the diocese of Hereford, shall be declared closed for regular public worship by this Scheme.

(2) Subject to any provisions of the Parochial Registers and Records Measure 1978 which apply thereto and any directions thereunder, any register books and records of that church which remain in parochial custody shall be dealt with as the Bishop shall direct.

PART II

Future of the church building and annexed land

2. The building and land annexed or belonging thereto shown outlined in red on the annexed plan (together referred to as 'the property') shall be appropriated to use for community, cultural and/or educational purposes, and/or for occasional worship, services, and other religious activities in accordance with the rites and customs of the Church of England or any other Christian body designated by the Bishop for the time being of Hereford and for purposes ancillary thereto together with the benefit of rights granted by Schedule I and subject to the rights reserved by Schedule 2.

Disposal

3. The Commissioners are hereby empowered to sell the property for any or all of the said uses together with the benefit of the rights granted in Schedule 1 and subject to the rights reserved by Schedule 2.

Contents

4. The contents of the building shall be disposed of as the Bishop shall direct subject, as far as it is required, to listed building consent being required.

PART III

Coming into operation of this Scheme

(1) Parts I and II of this Scheme shall come into operation upon such date or dates as the Commissioners shall determine following the making of this Scheme and different provisions of the Scheme may be brought into operation on different dates.

(2) Part III of this Scheme shall come into operation upon the date on which it is made by the Commissioners.

In witness of which this Scheme has been duly executed as a deed by the Church Commissioners.

SIGNED by the)
)
Right Reverend Richard,)
)
Bishop of Hereford.)

Executed as a Deed by the Church Commissioners for England acting by two authorised signatories:

Signature of Authorised Signatory

Signature of Authorised Signatory

Schedules

Schedule 1: Grant of Rights of Way

To enable the property to be used for the purposes specified in the scheme all rights and easements over land appertaining or reputed to appertain to the property shall vest in the Commissioners in common with all others entitled to the like rights.

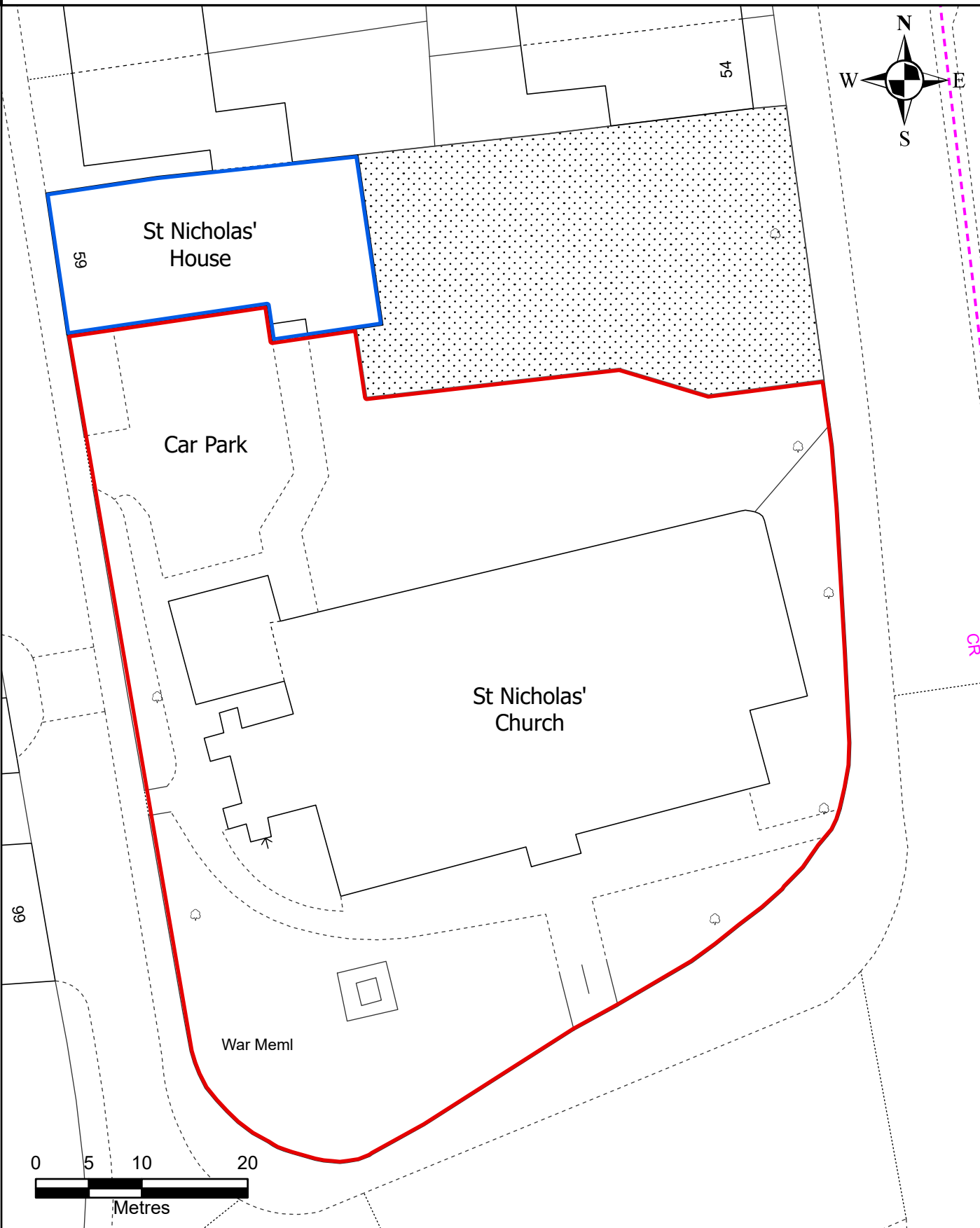
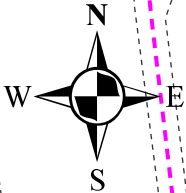
Schedule 2: Reservation of Rights of Way

1. To enable the retained closed churchyard (shown stippled on the annexed plan) to continue to be maintained by the Local Authority (by reason of Section 215 of the Local Authority Act 1972 or its predecessor provisions) the right to pass and repass over the property with or without vehicles shall be reserved to the Incumbent for the time being of the benefice of West Hereford Team Ministry and all persons lawfully visiting the retained closed churchyard.

2. To enable the continued use and maintenance of St Nicholas' House (No. 59 Friars Street) outlined in blue on the annexed plan by the Parochial Church Council or their tenants or their licensees the following rights shall be reserved to the Incumbent for the time being of the benefice of West Hereford Team Ministry and his or her successors in title and all persons authorised by the Incumbent for the benefit of St Nicholas' House and each and every part of the same.

- (i) The right to enter and exit the existing carpark with and without vehicles through the existing vehicular access from Friars Street and utilise 3 parking spaces.
- (ii) The right to the passage of water, soil, gas, electricity, and telecommunications services (if any) through any drains, sewers, pipes, wires, cables, and other conducting media ('the services') now laid or to be laid in the property serving St Nicholas' House.
- (iii) The right (upon reasonable prior notice in writing to the owners of the property) to enter with or without vehicles, equipment and apparatus upon such parts of the property as may be necessary for the purpose of inspecting, repairing and maintaining St Nicholas' House and for the purpose of laying, connecting into, inspecting, repairing, maintaining or renewing the services serving St Nicholas' House (if any) subject to the person exercising such right making good any damage so caused to the reasonable satisfaction to the owners of the property.

HEREFORD ST NICHOLAS



Drawn by
T. Wood

Scale
1:500

Date
07/05/2024

File Pathname / Project / Drawing No.
Tracings\17S_Hereford_St_Nicholas

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Glossary of words commonly used in Pastoral Reorganisation

A fuller version is available in the Code of Recommended Practice to the Mission and Pastoral Measure 2011

<https://www.churchofengland.org/more/parish-reorganisation-and-closed-church-buildings/mission-and-pastoral-measure-2011-and-code#na>

Archbishop	Senior bishop with authority over a Province - of Canterbury and of York.
Archdeacon	An office held by a senior clergy person appointed by the bishop with an administrative responsibility over an archdeaconry. Some of his/her duties are laid down by law but in other respects his/her duties vary according to diocesan practice: they include care for church property.
Archdeaconry	Sub-division of the diocese over which an archdeacon has administrative responsibility.
Benefice	An ecclesiastical office carrying certain duties. An incumbent's benefice is therefore not a geographical area (see parish) but the office to which (s)he is appointed and may comprise one or more parishes. A benefice may be a rectory or vicarage from which the incumbent is called rector or vicar.
Bishop	In the Church of England the bishop is the central focus of organisation and ministry within his/her diocese. He/She is the chief pastor and authority and shares the cure of souls with all the incumbents of that diocese. He/She is also, in his/her own person, the chief representative of the diocese in the work of the wider church. He/She may be assisted by suffragan or assistant bishops.
Bishop's Pastoral Order	An amendment made in 2018 to the Mission and Pastoral Measure 2011 to enable fairly minor matters to be dealt with by the Bishop at the local/diocesan level and for which there are no rights of objection. e.g. changing the name of a benefice or parish.
Common Tenure	The basis on which all Church of England offices will eventually be held under the Ecclesiastical Offices (Terms of Service) Measure 2009. Existing holders of freehold offices may decide not to opt-in to Common Tenure but new office holders will be on Common Tenure. (not going to mention here about continuing to retain freehold on e.g. a union, but not when named 1st TR or TV of a new TM – as likely to be unnecessarily confusing for a 'glossary' – which just 'glosses' on certain matters)
Chapel of Ease	A consecrated church that it is not a parish church but is within a parish that (normally) does have a parish church. Originally for the ease of parishioners who could not attend the parish church.
Church Representation Rules	Schedule 3 to the Synodical Government Measure 1969 but updated as a separate booklet. They contain the mechanism for the setting up of representative bodies in the Church of England from parochial church councils to the House of Laity of the General Synod.
Cure of Souls	'Cure' means 'care'. The bishop has the universal cure of souls in a diocese but, subject to this, the incumbent of a benefice (or team rector and team vicar(s) in a team ministry) has the exclusive cure of souls within his or her parish or parishes. The expression should not be confused with the more general phrase 'pastoral care'.
Deanery	A sub-division of an archdeaconry usually comprising between 10 and 20 parishes.
Declaration of closure for regular public worship	The act of closing a church for public worship under the Mission and Pastoral Measure 2011.
Diocesan Board of Finance	A company constituted by the diocesan synod and regulated by the Companies Acts. A board of finance holds property for Church of England purposes, transacts business in that connection and acts as a committee of the diocesan synod. It normally also acts as the diocesan trust.
Diocesan Mission and Pastoral Committee	Statutory Committee established by the Mission and Pastoral Measure 2011. Its duty is to review the arrangement for pastoral supervision in the diocese and, as appropriate, to make recommendations to the bishop.
Diocese	One of 41 main territorial units of the Church of England over which a bishop has responsibility. Divided into archdeaconries, deaneries and parishes.
District Church Council	If a parish comprises two or more places of worship or churches then individual councils can be set up for the districts in which each place of worship or church is situated to exercise such functions as may be delegated by the parochial church council.
Glebe	Land or buildings vested in the Diocesan Board of Finance that either provides a rental income to augment the Diocesan Stipends Fund or provides housing for those involved in the cure of souls.
Group Ministry	An arrangement, authorised by the Mission and Pastoral Measure 2011, whereby the clergy of two or more separate benefices can assist each other to make the best possible provision for the cure of souls in the area as a whole.
Incumbent	Holder of a benefice (which can be either a freehold or a Common Tenure office) – and can be either a

Glossary of words commonly used in Pastoral Reorganisation

	rector or a vicar - with responsibility for the cure of souls. May be assisted by curate, deacon, licensed lay worker, retired priest etc.
Joint Council	A provision brought about by the Church Representation and Ministers Measure 2019, which may only be established under the Church Representation Rules, and deals with matters that may be delegated to it by the PCCs concerned. Please note that it is now no longer possible for any new group councils, team councils or joint PCCs to be established under the CRRs (or for a time-limited permissive option under the Mission and Pastoral Measure 2011 process).
Leave to Appeal	Any person who makes a representation to the Commissioners against a pastoral scheme has a right to apply for leave to appeal to the Judicial Committee of the Privy Council against a decision of the Commissioners to proceed notwithstanding that representation.
Members ('Other') of a Team Ministry	May be clerical or lay (see s.34 of Mission and Pastoral Measure 2011). They share the pastoral care of the area with the team rector and team vicars, but NOT the cure of souls.
Mission and Pastoral Measure 2011	The Measure of the General Synod which authorises changes in pastoral reorganisation. Designed to "make better provision for the cure of souls". Part of the law of the land and equivalent to an Act of Parliament.
Mission, Pastoral and Church Property Committee	A Committee of the Commissioners' Board of Governors which makes decisions on representations on pastoral, church buildings, houses and glebe matters. It is chaired by the Third Church Estates Commissioner.
Parish Centre of Worship	An unconsecrated Place of Worship designated by the bishop under s.43 of the Mission and Pastoral Measure 2011 whereupon for most purposes (other than marriage) it is regarded as a parish church.
Parish Church	A consecrated building in a parish in which, subject to canon law, the statutory services must be held unless there are other churches in the benefice where this can happen and/or certain other dispensations have been provided for under the Canons. Parishioners have a right to be married, baptised etc. in the parish church. S.41(2) of the Mission and Pastoral Measure 2011 requires that any new church or existing building which is to become a parish church must be approved by the bishop, subject to the bishop having consulted both the Diocesan Pastoral Committee and the Diocesan Advisory Committee.
Parochial Church Council	Representative body of parishioners elected from those on the electoral roll in accordance with the Church Representation Rules. Usually chaired by incumbent.
Parsonage House	The official place of residence of an incumbent of a benefice. The house belongs to the incumbent in right of his or her office.
Pastoral Order	A document which effects changes in pastoral reorganisation made under the Mission and Pastoral Measure 2011. Differs from a pastoral scheme mainly in that it deals with lesser matters.
Pastoral Scheme	A document which effects more complex changes in pastoral reorganisation made under the Mission and Pastoral Measure 2011. A Pastoral Church Buildings Scheme is required where a closure of church building is being proposed – or a Pastoral (Church Buildings Disposal) Scheme if it deals with an already closed (former) church building
Patron	The person or body owning an advowson (i.e. right to present a priest to a benefice) who may be a private individual or a corporation (ecclesiastical or lay).
Plurality	The holding of two or more separate benefices by one incumbent. This can only be authorised by a scheme or order or Bishop's Pastoral Order under the Mission and Pastoral Measure 2011.
Priest in Charge	A priest given charge of a suspended benefice by licence of the bishop. (S)he has not been presented and is not the incumbent but holds office under common tenure.
Representations	The Mission and Pastoral Measure 2011 requires that any draft scheme or order be published and made available to the public. Any person can make written representations to the Commissioners either for or against what is proposed.
Restriction/Suspension of presentation	Where a patron's right of presentation is restricted (where consultation about pastoral reorganisation has begun or the bishop has asked the DMPC to consider it) or suspended (where pastoral reorganisation or replacement of parsonage house may be considered).
Team Ministry	A special form of ministry whereby a team of clergy and possibly lay people share the pastoral care of the area of a benefice. Can only be established by a pastoral scheme.
Team Rector	The priest in a team ministry who heads the team and owns the property of the benefice. (S)he shares

Glossary of words commonly used in Pastoral Reorganisation

the cure of souls with the team vicars.

Team Vicar

A priest of incumbent status in a team ministry, other than the team rector. (S)he shares the cure of souls with the team rector and other team vicars.

Notice

Mission and Pastoral Measure 2011 Draft Pastoral Church Buildings Scheme

16th May 2024

The Church Commissioners have prepared a draft Scheme in respect of proposals sent to them by the Bishop of Hereford for:

The closure for regular public worship of the church of Saint Nicholas, Hereford, and for the building and annexed land to be appropriated to use for community, cultural and/or educational purposes, and for occasional Christian worship

A copy of the draft Scheme may be inspected at all the churches in the West Hereford Team Ministry, the West Hereford Team Ministry office in Vowles Close, HR4 0DF and St Nicholas' House, Friars Street, HR4 0AS.

The draft Scheme is on our website www.churchofengland.org/consultation or you may obtain a copy from me. **Large print and/or audio copies are available on request.** Anyone may make representations **for** or **against** all or any part of the draft Scheme (please include the reasons for your views) by post or, preferably, by email to reach me no later than midnight on Monday **Monday 24th June 2024**. If I have not acknowledged its receipt, please ring or e-mail me. For administrative purposes, a petition will be classed as a single representation and we will only correspond with the sender of the petition, if known, or otherwise the first signatory for whom we can identify an address – “the primary petitioner”.

- When making a representation, please indicate the nature of your interest in the proposals (e.g. parishioner, member of parochial church council, etc) and whether you would like an opportunity to speak to the Commissioners regarding your representation if they decide a hearing should be held regarding the case.
- If we receive representations against the draft Scheme, we will send them, and any representations supporting the draft Scheme, to the Bishop whose views will be sought. Individual representors and the primary petitioner will then receive copies of the correspondence with the Bishop (including copies of all the representations) and will be told whether a hearing is to be held. They and individual petitioners may comment further to the Commissioners. Copies of all of the representations received and associated correspondence may be published on the Commissioners' website if the matter needs to be considered by the Commissioners.
- If a hearing is held, anyone may attend the meeting of the Committee that considers the case and representors may have an opportunity to speak. Otherwise, if a hearing is not to be held, the case will be considered in private and you will be informed accordingly.
- When we acknowledge representations we will let individual representors (and the primary petitioner) know the next few dates of our Committee's meetings. We will confirm the actual date if a hearing is to be held nearer the time.
- The Committee will decide if the draft Scheme should proceed when it considers all the representations on the basis of a paper prepared by the Commissioners' staff and any points raised at the meeting. The Commissioners will notify all representors of their decision and give a statement of the reasons for it.
- Please see www.churchofengland.org/consultation for further information about the procedure.

Matthew Crowe, Case Officer
Tel: 020 7898 1784
Email address: matthew.crowe@churchofengland.org

Church Commissioners, Church House, Great Smith Street, London SW1P 3AZ

NOTICE OF PROPOSAL

HEREFORDSHIRE COUNCIL (GRANDSTAND ROAD, SIDNEY BOX DRIVE & ATLAY STREET, HEREFORD) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2024

The County of Herefordshire District Council, known as Herefordshire Council, in exercise of its powers under Sections 1, 2 and 3 of Part I and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, proposes to make the above Order, the general effect of which will be to introduce:

No Waiting at Any Time (Double Yellow Line) restrictions on the following lengths of road:

Grandstand Road (South-western Side)

- From its junction with Atlay Street for a distance of 10m in a north-westerly direction.
- From its junction with Atlay Street for a distance of 10 m in a south-easterly direction.
- From its junction with Sidney Box Drive for a distance of 12m in a north-westerly direction.
- From its junction with Sidney Box Drive for a distance of 12m in a south-easterly direction.

Atlay Street (North-western Side)

- From its junction with Grandstand Road for a distance of 19m in a south-westerly direction.

Atlay Street (South-eastern Side)

- From its junction with Grandstand Road for a distance of 19m in a south-westerly direction.

Sidney Box Drive (North-western Side)

- From its junction with Grandstand Road for a distance of 15m in a south-westerly direction.

Sidney Box Drive (South-eastern Side)

- From its junction with Grandstand Road for a distance of 15m in a south-westerly direction.

The extents of the proposed restrictions are shown on the attached plan.

A copy of the draft Order, with plan and Statement of Reasons can be viewed on the Council's website at www.herefordshire.gov.uk in the Proposed Traffic Regulation Order section. They are also available for inspection during normal office hours at the Hereford Customer Service Centre, Blue School House, Blue School Street, Hereford, HR1 2LX. Photocopies of the same may be provided on payment of photocopying charges at the Council.

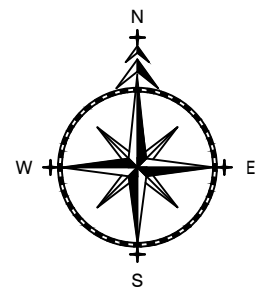
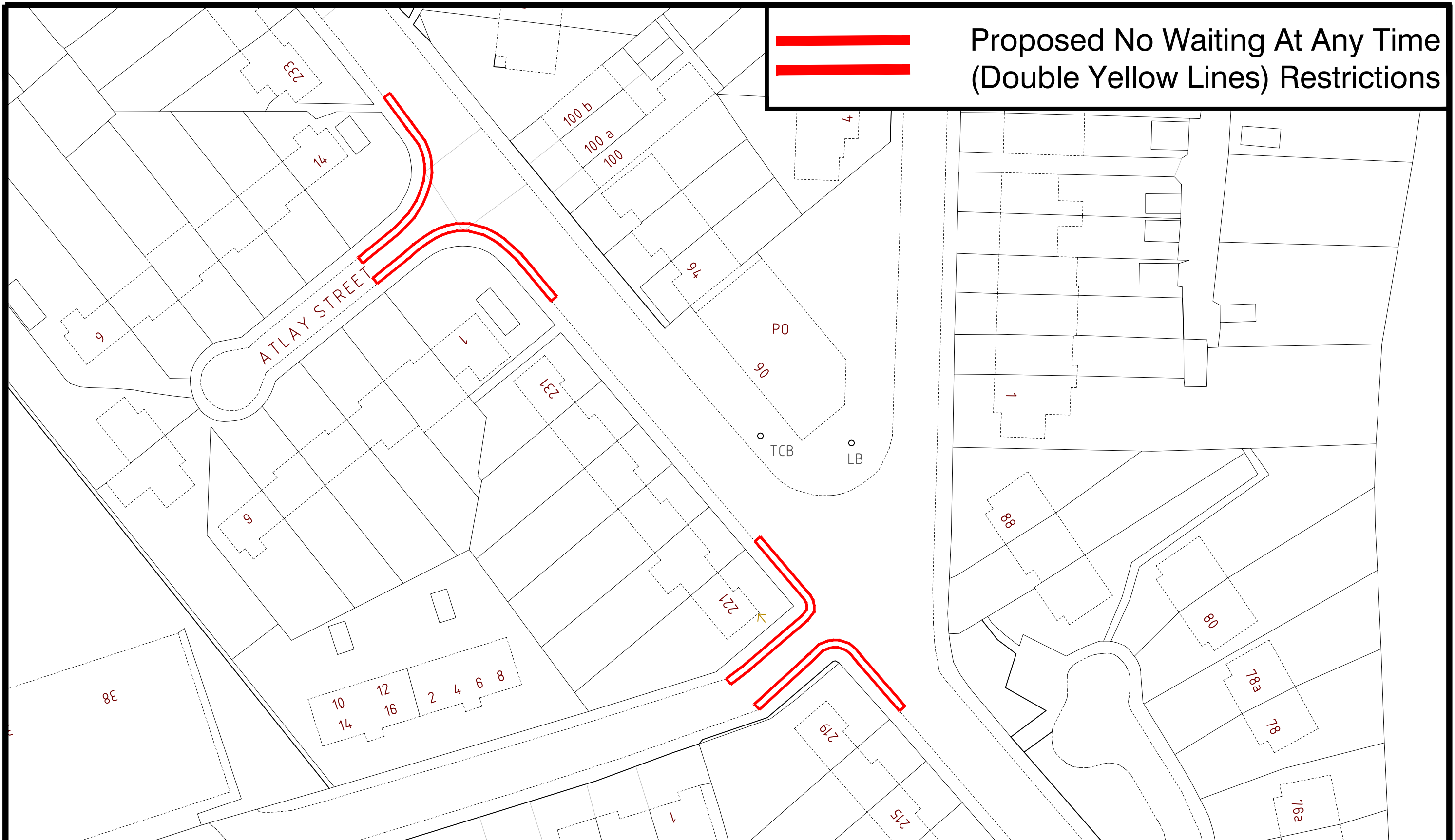
General enquiries relating to the proposal should be referred to the Traffic Management Team at ADL Traffic and Highways Engineering Ltd (Tel: 01454 332100). Objections to the proposal together with the grounds on which they are made must be sent in writing to the Traffic Management Team, ADL Traffic and Highways Engineering Ltd, ADL House, Oaklands Business Park, Armstrong Way, Yate, Bristol BS37 5NA, or by email to info@adltraffic.co.uk The deadline for the receipt of objections is 12:00 noon on Friday 14th June 2024. Representations of support will also be received during this time.

Any representations received by the Council may be imparted to third parties. We will keep your data for up to 7 years. Your information may be shared with other Balfour Beatty teams within Herefordshire and Herefordshire Council in order to provide you with the service. Individuals have a number of rights under data protection law, including the right to request their information. You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>

Mark Averill
Service Director for Environment and Highways
23rd May 2024



**Proposed No Waiting At Any Time
(Double Yellow Lines) Restrictions**



ADL House,
The Oaklands Business
Park
Yate, Bristol,
BS37 5NA

01454 332100
Cad@adltraffic.co.uk

NOTES
 1. PRELIMINARY DESIGN PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. ALL DETAILS ARE SUBJECT TO INCLUDING CHECKING STATUTORY SERVICE APPARATUS.
 2. DO NOT SCALE FROM THIS DRAWING.
 3. BACKGROUND PLAN IS BASED UPON A DIGITAL OSBASE.
 4. ALL DETAILS TO BE CONFIRMED ON SITE AND ON A TOPOGRAPHICAL SURVEY.
 5. ALL TRACKS ASSUME GRADIENTS AND CAMBERS DO NOT EXCEED 1:60 AND 1:40 RESPECTIVELY OTHERWISE VEHICLE MANOEUVRABILITY MAY BE AFFECTED.
 6. ALL LAND OWNERSHIP DETAILS, EXTENT OF ADOPTED HIGHWAY AND RIGHTS OF WAY TO BE CONFIRMED.
 7. ASSUMES ALL LANDSCAPING CAN BE ALTERED AND NO TREES ARE SUBJECT TO TPO.
 © Copyright ADL Traffic and Highways Engineering Ltd

AMENDMENTS		
REF.	DATE	DESCRIPTION

ADL Job No. **3409-164**

Project Grandstand Road/Sidney Box Drive Hereford			
Title Proposed Waiting Restrictions			
Date March 2024	Drawn LO		
Checked WC	Date	Approved TH	Date
Scale NTS @ A3	Dwg No. 3409-164-001	Rev.	

ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL (GRANDSTAND ROAD, SIDNEY BOX DRIVE & ATLAY STREET, HEREFORD) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2024

The County of Herefordshire District Council known as Herefordshire Council, under Sections 1, 2 and 3 of Part I and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (referred to as “the Act”), after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act and of all other enabling powers hereby makes the following Order:

PART ONE - INTRODUCTION

CITATION

- 1.1 This Order shall come into operation on the ...day of 2024 and may be cited as HEREFORDSHIRE COUNCIL (GRANDSTAND ROAD, SIDNEY BOX DRIVE & ATLAY STREET, HEREFORD) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2024

INTERPRETATION

- 1.2 In this Order, except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that Article or schedule in this Order.
- 1.3 In this Order any reference to an Act, Statutory Instrument, Regulation or Order shall be construed as a reference to that Act, Statutory Instrument or Order as amended.
- 1.4 In this Order the following expressions shall have the respective meanings assigned to them:

“the 2022 Regulations” means the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, as amended.

“Carriageway” has the same meaning as in section 329(1) of the Highways Act 1980;

“Civil Enforcement Officer” means a person authorised by or on behalf of the Council to supervise any parking place and who is appointed by Herefordshire Council under section 76 of the Traffic Management Act 2004;

“Council” means The County of Herefordshire District Council (known as Herefordshire Council) and includes any parking services contractors or

authorised agent appointed by and acting on behalf of the Council for the purposes of any function under the provisions of this Order;

“Disabled Persons Badge” has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 2000

“Disabled Person’s Vehicle” means a vehicle displaying a valid Disabled Persons Badge and Parking Disc

“Driver”, in relation to a vehicle waiting in a parking place or restricted waiting area, means the person driving the vehicle at the time it was left in the parking place or restricted waiting area;

“Dwelling” means a house or self-contained flat registered for Council Tax purposes

“Motor Cycle/s” has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984

“Motor Vehicle” has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984

“Owner”, in relation to a vehicle, means the person by whom such vehicle is kept and used and in determining who the owner of a vehicle was at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994

“Parking Disc” has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 2000

“Passenger Vehicle/s” means a Motor Vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the Driver, and not drawing a trailer

“Penalty Charge” has the same meaning as in the 2022 Regulations or any subsequent legislation so enabling.

“Temporary Parking Restriction Dispensation Permit” means a document issued at the discretion of the Council, subject to change, which exempts a vehicle from certain parking restrictions

PART TWO – PROHIBITION OF WAITING

NO WAITING AT ANY TIME

- 2.1** No person shall cause or permit any vehicle to wait at any time in the lengths of road specified in Columns 1, 2 and 3 in Schedule 1 to this Order.

PART THREE - EXEMPTIONS

GENERAL EXEMPTIONS

- 3.1** Nothing in this Order shall prohibit any vehicle from waiting for as long as reasonably necessary in the following circumstances:
- a) The vehicle is directed to stop or wait by or with the permission of a police officer or Civil Enforcement Officer in uniform
 - b) The vehicle is being used for emergency services purposes
 - c) To prevent a road traffic collision
 - d) The vehicle cannot be moved due to an unavoidable breakdown
 - e) The vehicle, not being a Passenger Vehicle, is stopped or waiting only for so long as may be reasonably necessary to enable it to be used for the purpose of any building operation, demolition or excavation or the maintenance, improvement or reconstruction of any said lengths of road or the laying erection, alteration, removal or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telegraphic line or traffic sign in any said lengths of road
 - f) The vehicle, not being a Passenger Vehicle, is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository, provided that notice is given twenty-four hours in advance to the Council and their consent is obtained and any conditions imposed are complied with
 - g) The vehicle is being used for the purpose of delivering or collecting postal packets

PROHIBITION OF WAITING EXEMPTIONS

- 3.2** Nothing in Article 2.1 shall apply to a vehicle waiting for as long as necessary in the following circumstances:
- a) The vehicle is waiting for the purposes of loading or unloading that vehicle, provided the loading/unloading is continuous and being undertaken in a timely manner, the goods being loaded/unloaded cannot be reasonably carried other than by means of a vehicle, the vehicle is waiting adjacent to where the goods are being loaded/unloaded from/to and the length of time the vehicle is waiting for is reasonable
 - b) To allow the picking up or setting down of passengers
 - c) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
 - d) The vehicle is waiting for the purpose of removing an obstruction to traffic
 - e) The vehicle is a liveried utility company being used in connection with works of that utility in the immediate vicinity
 - f) The vehicle is a Disabled Persons Vehicle, provided the vehicle does not wait for longer than three hours and at least one hour has elapsed following a previous period of waiting by the vehicle in the same road or part of a road
 - g) The vehicle is displaying a valid Temporary Parking Restriction Dispensation Permit issued by the Council

PART FOUR – CONTRAVENTIONS AND REVOCATIONS

CONTRAVENTION

4.1 Any person or vehicle failing to comply with the provisions of this Order shall be in contravention of it and a penalty charge shall be payable.

REVOCATIONS

4.2 In accordance with Part IV of Schedule 9 of the Act, any previous Waiting and Stopping Restriction Orders relating to the lengths of road referred to in this Order are hereby revoked on the coming into operation of this Order.

Dated this xxxxxx Day of xxxxxxxxxx 2024

THE COMMON SEAL of the
COUNTY OF HEREFORDSHIRE
DISTRICT COUNCIL
was hereunto affixed **BY ORDER**

-----Authorized Officer

Schedule 1 – Prohibition of Waiting at Any Time (Double Yellow Line) Restrictions		
Column 1	Column 2	Column 3
Road	Side	Description
Grandstand Road	South-west	From its junction with Atlay Street for a distance of 10m in a north-westerly direction.
Grandstand Road	South-west	From its junction with Atlay Street for a distance of 10m in a south-easterly direction.
Grandstand Road	South-west	From its junction with Sidney Box Drive for a distance of 12m in a north-westerly direction.
Grandstand Road	South-west	From its junction with Sidney Box Drive for a distance of 12m in a south-easterly direction.
Atlay Street	North-west	From its junction with Grandstand Road for a distance of 19m in a south-westerly direction.
Atlay Street	South-east	From its junction with Grandstand Road for a distance of 19m in a south-westerly direction.
Sidney Box Drive	North-west	From its junction with Grandstand Road for a distance of 15m in a south-westerly direction.
Sidney Box Drive	South-east	From its junction with Grandstand Road for a distance of 15m in a south-westerly direction.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

STATEMENT OF REASONS FOR PROPOSING

**HEREFORDSHIRE COUNCIL
(GRANDSTAND ROAD, SIDNEY BOX DRIVE & ATLAY STREET, HEREFORD)
(PROHIBITION OF WAITING AT ANY TIME)
ORDER 2024**

The implementation of the proposed restrictions under Sections 1, 2 and 3 of Part I and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 is necessary for the following reasons:

- For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.
- For preserving and improving the amenity of the area through which the road runs.
- To prevent vehicles parking where it is considered unsafe.
- To prevent vehicles parking close to junctions, thereby improving visibility for vehicles and pedestrians crossing the road, as well as vehicles entering and exiting Sidney Box Drive and Atlay Street.

The Council reserves the right to produce an amended or further statement in the context of any public enquiry or judicial proceedings to these proposals.

Mark Averill
Service Director Environment and Highways

Equality Act 2010

Equality Impact and Needs Assessment

PROPOSED TRAFFIC REGULATION ORDER TO IMPLEMENT NO WAITING AT ANY TIME RESTRICTIONS ON GRANDSTAND ROAD, SIDNEY BOX DRIVE & ATLAY STREET, HEREFORD.

The Council has a duty to give 'due regard to' the following three aims of the public sector equality duty (section 149 of the Equality Act 2010) during the development of the 'policy'.¹

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT:
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

An initial assessment against each of the protected groups is provided below – any issues highlighted through the consultation process will be considered and reported at the end of the consultation period.

Scheme Name	Grandstand Road, Sidney Box Drive and Atlay Street No Waiting At Any Time Restrictions
Protected group	Challenge or opportunity considered and what we did
Age(A)	No negative or positive impact on this group has been identified at this time.
Disability (D)	No negative or positive impact on this group has been identified at this time.
Sex (S)	No negative or positive impact on this group has been identified at this time.
Race (including Gypsy & Traveller)(R))	No negative or positive impact on this group has been identified at this time.
Gender reassignment(GR)	No negative or positive impact on this group has been identified at this time.
Marriage & civil partnership (MCP)	No negative or positive impact on this group has been identified at this time.
Pregnancy & maternity (PM)	No negative or positive impact on this group has been identified at this time.
Religion and/or Belief (RAOB)	No negative or positive impact on this group has been identified at this time.
Sexual Orientation(SO)	No negative or positive impact on this group has been identified at this time.

Name: Lewis Oxenham

Dated: 8th March 2024

Signed:



Scheme Officer

Name: Callum Bush

Dated: XXXXXXXXXXXX

Signed:

Traffic Management Team Leader
Herefordshire Council

Monitoring and Review

Please identify any aspects that require reconsideration following the TRO process, identify any amendments made in relation to due regard and give reasoning.

Name: Lewis Oxenham

Dated: XXXXXXXXXXXX

Signed:



Scheme Officer

Name: Callum Bush

Dated: XXXXXXXXXXXX

Signed:

Traffic Management Team Leader
Herefordshire Council



Appeal Decision

Site visit made on 11 April 2024

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 May 2024

Appeal Ref: APP/W1850/W/23/3325614

Grass Verge at College Road, Holmer and Shelwick HR1 1JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Herefordshire Council.
 - The application Ref is 230697.
 - The development proposed is the installation of 20m high phase 8 monopole, supporting 6 no. antennas, 2 no. equipment cabinets, 1 no. electric meter cabinet and ancillary development thereto.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. Submissions made under the aforementioned legislative provisions are not determined in accordance with the development plan albeit I have referred to the relevant policies insofar as they are material considerations pertaining to matters of siting and appearance. These policies relate to the Herefordshire Local Plan Core Strategy, October 2015 (LP).

Main Issue

4. The main issue is whether the siting and appearance of the proposed development would be acceptable, with specific regard to the character and appearance of the area.

Reasons

5. The appeal site is in a highly visible location at a junction of roads in an area that contains a mix of uses including residential dwellings and industrial units. All of the buildings in the immediate surroundings are of a fairly limited height.
6. The proposed development would introduce a very tall mast and several cabinets to an area of grass verge. While 5G masts are tall structures by their

very nature, the proposed mast in this instance would be 20 metres in height and would therefore greatly exceed the height of any of the surrounding buildings or items of street furniture. Indeed, the mast would appear even taller than it otherwise might do due to the fact that the grass verge on which it would be located is raised slightly above road level. As a result of the prominence of the site, the proposed mast and cabinets would appear as a highly obvious, dominant and discordant feature within the street scene.

7. I acknowledge that such apparatus is common to urban areas, and that the effect of its modern and industrial appearance would be mitigated to some degree by the presence of industrial units nearby, including car show rooms. However, in my view, this mitigation is only partial and it is still the case that the proposal would significantly detract from the character and appearance of the area.

Planning Balance Conclusion

8. The appellant's statement provides a summary of alternative options which were discounted for various reasons. However, it is not sufficiently clear what criteria were used to identify alternative sites within the search area, including whether there might be realistic options that are less visually prominent and therefore would have less of an impact on the character and appearance of the surrounding area than the appeal proposal before me. For this reason, I attach limited weight to these matters.
9. There is support in the National Planning Policy Framework (the Framework) for high quality communications, and that advanced, high quality, reliable communication infrastructure is essential for economic growth and social wellbeing. Decisions should also support the expansion of the communications network, specifically to support the roll out of 5G. Government Ministers have re-iterated this message. However, I must balance this against the requirement for equipment to be sympathetically designed and sited, as well as the overarching imperative in the Framework for development to achieve well-designed places for the long term. I attach significant weight to these matters.
10. The siting and appearance of the proposed development would be harmful to the character and appearance of the area. For the reasons I have set out, this harm would not be outweighed by the support in the Framework for high quality communications or the appellant's consideration of alternatives.
11. Insofar as they are material to the main issues, the proposals would not be supported by LP Policies SS6, LD1 and SD1. Taken together, these policies seek to ensure that development is well designed and is not visually intrusive.
12. For the above reasons, the appeal is therefore dismissed.

C Butcher

INSPECTOR



Appeal Decision

Site visit made on 11 April 2024

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 May 2024

Appeal Ref: APP/W1850/W/23/3325613

Hoarwithy Road, Hereford, Herefordshire HR2 6HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Cignal Infrastructure UK Limited against the decision of Herefordshire Council.
 - The application Ref is 230654.
 - The development proposed is a proposed telecommunications installation of 17m high slim-line monopole, supporting 6 no. antennas, 1 no. wraparound equipment cabinet at the base of the monopole, 2 no. equipment cabinets, 1 no. electric meter cabinet and ancillary development thereto including 1 no. GPS module.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. Submissions made under the aforementioned legislative provisions are not determined in accordance with the development plan albeit I have referred to the relevant policies insofar as they are material considerations pertaining to matters of siting and appearance. These policies relate to the Herefordshire Local Plan Core Strategy, October 2015 (LP).
4. From the evidence before me, it is clear that the scale of the proposed development was amended during the application process. I have therefore used the description of development provided on the Council's decision notice.

Main Issue

5. The main issue is whether the siting and appearance of the proposed development would be acceptable, with specific regard to the character and appearance of the area.

Reasons

6. The appeal site is in a highly visible location at a junction of roads in a predominantly residential area that contains buildings that are mainly two storeys in height. The visibility of the site is increased further by the fact that it is a grass verge that is effectively an 'island' situated between Holme Lacy Road and a small parking area. The grass verge and generous width of the pavement currently provides the area with a spacious feel.
7. The proposed development would introduce a mast and several cabinets to the verge. Despite such apparatus being common to urban areas, the modern and overly industrial nature of the proposals would appear incongruous with residential character of the area and the height of the monopole would appear overly dominant in comparison to the height of nearby dwellings and existing street furniture. As a whole, the development would also add clutter to the grass verge and the overall street scene which would erode the current feeling of spaciousness. This harm would be exacerbated by the highly prominent location of the site.

Balance and Conclusion

8. The appellant's statement provides a summary of alternative options which were discounted for reasons including narrow pavements and proximity to residential uses. However, it is not sufficiently clear what other criteria were used in the identification and appraisal of alternatives including whether they would be more or less harmful than development at the appeal site in relation to character and appearance, most notably in terms of the visual prominence of different options. I therefore attach limited weight to these matters.
9. There is support in the National Planning Policy Framework (the Framework) for high quality communications, and that advanced, high quality, reliable communication infrastructure is essential for economic growth and social wellbeing. Decisions should also support the expansion of the communications network, specifically to support the roll out of 5G. Government Ministers have re-iterated this message. However, I must balance this against the requirement for equipment to be sympathetically designed and sited, as well as the overarching imperative in the Framework for development to achieve well-designed places for the long term. I attach significant weight to these matters.
10. The siting and appearance of the proposed development would be harmful to the character and appearance of the area. For the reasons I have set out, this harm would not be outweighed by the support in the Framework for high quality communications or the appellant's consideration of alternatives.
11. Insofar as they are material to the main issues, the proposals would not be supported by LP Policies LD1 and SD1. Taken together, these policies seek to ensure that development is well designed and is not visually intrusive.
12. For the above reasons, the appeal is therefore dismissed.

C Butcher

INSPECTOR