

MEETING:	PLANNING COMMITTEE
DATE:	12 OCTOBER 2011
TITLE OF REPORT:	DMS/112085/RM - APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPLICATION DMS/103136/O FOR THE REDEVELOPMENT OF THE LIVESTOCK MARKET AND ADJACENT LAND AT LIVE STOCK MARKET & ADJ LAND, EDGAR STREET, HEREFORD, HR4 9HX  For: Stanhope Plc per Savills Plc, Embassy House, Queens Avenue, Bristol, BS8 1SB

Date Received: 1 August 2011 Ward: Central and Aylestone Grid Ref: 350943,240328

**Expiry Date: 14 November 2011** 

Local Members: Councillors MAF Hubbard, PA Andrews, EMK Chave and C Nicholls

# 1. Introduction, Site Description and Proposal

### Introduction

- 1.1 On 23 March 2011, outline planning permission was granted for the demolition of all existing buildings within the site of the former Livestock Market, Hereford (except the listed Old Market Inn) and the redevelopment of the site comprising retail, financial and professional services, food, drink and leisure uses, new public realm, landscaping, car parking and general highway works. This permission represented the bringing forward of development proposals provided for within the Unitary Development Plan and other policy documents. These proposals were designed to allow for the extension of the city centre and an expansion of the City's retail and leisure offer, to support Hereford's sub-regional shopping role and reduce the loss of expenditure to competing centres away from Herefordshire.
- 1.2 The permission was a form of outline application known as a hybrid application. The permission included full details of the proposed means of access and associated highway works with the layout, scale, appearance and landscaping being reserved for future consideration. However, unlike a traditional outline submission, the application was also accompanied by a 'Masterplan Principles and Parameters Document'. This identified seven fixed objectives for the master planning process to follow.
- 1.3 The document also set minimum and maximum parameters relating to the siting and height defined both in plan and elevation form along with a minimum and maximum floorspace schedule specific to each category of land use along with parking thresholds. The document also includes masterplan principles plans relating to servicing, pedestrian and cycle routes, strategic key views and landmark buildings. This document has effectively set relatively specific ground rules that this current application has to adopt in relation to the layout, scale, appearance and landscaping of the development.

# **Site Description**

- 1.4 The site extends to five hectares of brownfield land located immediately north of Hereford City's historic core and the city centre itself. The site is essentially bounded by Edgar Street (A49) to the west, Newmarket Street (A438) to the south, Widemarsh Street (B4359) to the east and Blackfriars Street (U80332) to the north. The application site area also encompasses additional highway land eastwards forming part of Blueschool Street, all of Newmarket Street and part of the Edgar Street northwards beyond the junction with Blackfriars Street.
- 1.5 Presently occupying the majority of the site is the former livestock market which comprises a range of 1950's single storey steel framed and corrugated clad, monopitch roofed livestock buildings. Fronting the Edgar Street/Newmarket Street roundabout and extending northwards up Edgar Street is a two storey barrel roofed brick building most recently used for a range of purposes including a furniture sales room, agricultural supplies retailer, auctioneers offices and tyre retailer. To the rear (north and east) of this building are further brick flat and barrel roofed predominantly single storey buildings. Fronting part of Blackfriars Street are further brick barrel roofed two storey buildings most recently used by the Council as offices. Nearly all these buildings are now vacant.
- 1.6 Continuing eastwards along Blackfriars Street are three detached Victorian Villa properties which are predominantly used as offices. These properties fall outside the application site. Further businesses occupy two and three storey premises fronting the corner of Blackfriars Street and extending southwards along Widemarsh Street. Again, these do not form part of the development area.
- 1.7 South of here is the red brick Garrick House multi storey car park which effectively rises to five storeys at a height of around 16 metres. To the rear of which is Garrick surface level car park and Western Power's primary sub-station building and compound. Around 40% of the rear surface level car park along with the southern lift access of the multi storey fall within the development area, the remainder of the car park and multi storey is unaffected by the development proposals. Occupying the corner of Widemarsh Street and Newmarket Street is Garrick House most recently used as offices and the Councils information centre. This rises to three storeys constructed from red brick dropping down to two storeys adjacent the Grade II listed Old Market Inn. The public house is 19th century in origin with later additions to the side and rear.
- 1.8 The development site is presently served by four vehicular accesses via Edgar Street, Blackfriars Street and two on to Newmarket Street, one of which solely serves the public house. Further pedestrian access also exists adjacent Garrick House, via the Newmarket Street subway and via the multi storey. Levels are relatively flat across the site and two small groups of trees and vegetation exist immediately north of the Old Market Inn and by the subway entrance.

### **Site Context**

1.9 The site sits within a mixed land use context. West and set back from Edgar Street are a row of predominantly detached red brick three storey Victorian villa properties, the majority of which are now converted to flats and all are grade II listed. North of these is the Richmond social club and Salvation Army centre and further residential properties. North of Blackfriars Street is Hereford United Football Club, east of which is the access to public car parks, a furniture retailer unit and Council Offices. West of Widemarsh Street is predominantly town centre uses (retail, restaurants, hot food takeways) and the Herdsman Public House. On the south side of Newmarket St opposite the Hereford Centre is JD's public house, next to which is the grade II\* listed Farmers Club. Continuing westwards are a terrace of residential properties and Tesco's Supermarket beyond.

1.10 The southern side of Newmarket Street is bounded by the historic City wall which is a Scheduled Ancient Monument. This also forms the boundary of the Central Conservation Area which also encompasses part of the Widemarsh junction and Blueschool Street parts of the application site. Land west of Edgar Street is also within Central Conservation Area and the south eastern corner of the site falls within Hereford Area of Archaeological Importance. The entire site also falls within the Central Shopping and Commercial Area as identified within the adopted Herefordshire Unitary Development Plan (UDP). Within the site, the Old Market Inn is grade II listed.

## The Proposal

- 1.11 The proposal involves the mixed use redevelopment of the site for primarily retail and leisure purposes. With the exception of the Old Market Inn, all other buildings within the application site are to be demolished. The detailed layout plan for the development is principally centred around the construction of three new detached buildings structured around two new retail streets that directly connect in with the existing city centre to the south with secondary links to the north, west and east.
- 1.12 The largest of the buildings hereafter referred to as 'Building A' is sited along part of Newmarket Street returning northwards into Edgar Street towards Blackfriars junction. This is a mixture of three and four storeys with a maximum height of 18.6 metres. At its southern end, this building will contain a department store orientated primarily southwards towards Edgar Street roundabout and Newmarket Street and eastwards fronting one of the new internal streets. North of here will be a series of eight two storey primarily retail units with a retail frontage onto the new internal street.
- 1.13 Framing the northern end of this building is proposed to be the food store most likely to be occupied by Waitrose. This predominantly occupies only the ground floor. At first floor will be non food retail along with ancillary offices. A new gated service access will be created to the rear of Building A off Edgar Street which will also include the closure of the existing vehicular access (this is already approved). This service yard will contain six service bays. A roof level car park totalling 364 spaces is proposed above the retail units within Building A except above the department store which will be partially covered. This will be accessed via a vehicular ramp off the northern end of Building A adjacent to Edgar Street.
- Building B is sited adjacent to, and will form a new frontage with Newmarket Street to the south and new retail streets to the west and north. This accommodates two floors but is effectively a mixture of two and three storeys in height with the central cinema element being at a height of 18.4 metres. Building B comprises of fourteen new non-food predominantly retail units at ground floor, five of which occupying the western half of the building would also include a first floor trading area. The northeast corner is to incorporate an entrance lobby providing access to the first floor central area which is proposed to be a six screen fully digitalised cinema to be occupied by Odeon. The configuration and design of the cinema has been amended since submission of the application to better integrate and soften the impact of this building within the street scene. A new gated access (already approved) is to be created off Newmarket Street to an enclosed service yard with capacity for two service bays and the appropriate turning and manoeuvring space. Immediately north of building B is a row of three single storey detached oak frame retail kiosks.
- 1.15 Building C comprises a row of six two storey units located immediately to the rear (west) of Garrick Multi Storey Car Park and directly opposite The Old Market Inn. This building would have a primary frontage on to the new internal street overlooking the public house and secondary frontage to the west. One of the units is likely to be retail; the remaining five are proposed to be restaurants and cafes. This building is essentially two storeys in height at

- fourteen metres which is comparable in height to the multi storey car park. This building is serviced from the rear via Blackfriars Street (already approved).
- 1.16 Framing the principal pedestrian entrance to the development from Widemarsh Street are three two storey pavilions likely to be occupied as restaurants. Two are detached and one is attached to the eastern end of Building C. Pavilion 1 being the largest is located parallel with the southern end of the multi storey at a height of 10 metres and pavilion 2 sits adjacent the Old Market Inn fronting Newmarket Street with a height of 9 metres. The third pavilion is of a different scale being slightly higher at 10.5 metres albeit smaller in footprint than the others.
- 1.17 Planning and Listed Building Consent has also been approved to partly re-orientate The Old Market Inn to ensure it addresses the new internal street to the north. In addition, a new enclosed garden area to serve the public house is proposed to be created adjoining the public house fronting Newmarket Street.
- 1.18 Detailed public realm proposals have also been provided. These identify surface level car parking totalling 153 spaces in the north west corner of the site, along the northern boundary of the site adjacent to Blackfriars Street and more centrally within the site. These areas will be subdivided with significant new tree planting and will have a single surface throughout. Where required, natural oak bollards are proposed to demark vehicular routes which will link in with the wider movement strategy for the site.
- 1.19 Various other highway works already have the benefit of planning permission approved at the outline stage. These works comprise of the closure of the existing vehicular access from Blackfriars Street and construction of a new access opposite the existing access to Merton Meadow Car Park which will serve as the only public vehicular access to the site. This junction as a whole will also be fully signalised with a number plate recognition pay on exit charging system. One new unsignalised pedestrian crossing will be created on Blackfriars Street west of the new vehicular access to the site and a further signalised crossing on Blackfriars Street is proposed linked in with the new site access. A second new vehicular access is to be created further eastwards on Blackfriars Street which will be the service access for Building C. The junction with Blackfriars and Edgar Street is also to be modified to create a signalised junction. These works entail the creation of an additional turning lane within the junction and the relocation of the existing east/west pedestrian crossing on Edgar Street further southwards to integrate with the new junction design.
- 1.20 The entire length of Newmarket Street is to be upgraded to create a more attractive and pedestrian friendly retail street. The works include the removal of the existing central reservation barriers and the creation of a wider central reservation incorporating new tree planting and cycle stands, reduction in the width of the eastbound highway lanes and the resurfacing of both the carriageway and pavements either side within this street with higher quality materials. The proposals also include the removal of the existing bus lay-by and closure of the subway. This is to be replaced with a new two stage raised table surface level pedestrian crossing creating a link between the development site through the existing gap in the city wall and beyond to Eign Gate. This pedestrian crossing is also to be a signalised crossing.
- 1.21 Permission was also secured at the outline stage to re-model the Newmarket Street/Blueschool Street/Widemarsh Street junction to facilitate quicker and more direct pedestrian and cyclist connections between the city and development. The entire junction hereafter referred to as 'Widemarsh Gate' will be a raised table design constructed at grade with Widemarsh Street and the development to the north. The existing sheep pen pedestrian barriers will be removed to allow for a single phase traffic light controlled pedestrian crossing north to south. In addition, the junction will include two new turning options right (eastwards) from Wall Street on to Newmarket Street and right (northwards) from Blueschool Street into Widemarsh Street.

1.22 The outline development proposals were screened in 2010 against the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and the Town and Country Planning (Environmental Impact Assessment) (England and Wales) (Amendments) Regulations 2006. A Screening Opinion was issued on 23 September 2010 confirming that the application was an EIA development and that an Environmental Statement (ES) was required. A Scoping Report for the ES was subsequently adopted by the Council on 4 November 2010. The detailed proposals now forming part of this application largely follow the masterplan principles and parameters established at the outline stage. Minor changes to the outline parameters have been agreed but neither the changes nor the content of this application raise any new or materially different environmental issues that were not fully considered at the outline application stage.

#### 2. Policies

### 2.1 National Guidance:

PPS1 - Delivering Sustainable Development (including the supplement on

climate change)

PPS4 - Delivering for Sustainable Economic Growth

PPS5 - Planning for the Historic Environment
PPS9 - Biodiversity and Geological Conservation

PPG13 - Transport (2010)
PPG24 - Planning and Noise

## 2.2 Herefordshire Unitary Development Plan:

S1 - Sustainable Development

S2 - Development Requirements

S4 - Employment

S5 - Town Centres and Retail

S6 - Transport

S7 - Natural and Historic Heritage S8 - Recreation, Sport and Tourism

S10 - Waste DR1 - Design

DR2 - Land Use and Activity

DR3 - Movement
DR4 - Environment

DR13 - Noise
DR14 - Lighting

TCR1 - Central Shopping and Commercial Areas

TCR2 - Vitality and Viability

TCR20 - Eign Gate Regeneration AreaT1 - Public Transport Facilities

T6 - Walking T7 - Cycling

T8 - Road Hierarchy
T11 - Parking Provision
T12 - Existing Parking Areas

T16 - Access for All

LA6 - Landscaping Schemes

NC1 - Biodiversity and Development

NC8 - Habitat Creation, Restoration and Enhancement

HBA4 - Setting of Listed Buildings

HBA6 - New Development Within Conservation Areas

HBA10 - Shopfronts

ARCH1 - Archaeological Assessments and Field Evaluations

ARCH3 - Scheduled Ancient Monuments

ARCH7 - Hereford AAI

W11 - Development – Waste Implications CF1 - Utility Services and Infrastructure

CF2 - Foul Drainage CF4 - Renewable Energy

2.3 Other Guidance - Supplementary Planning Documents:

Archaeology

**ESG Design Framework** 

Statement of Community Involvement

**Biodiversity** 

2.4 Other Material Considerations:

Edgar Street Grid Master Plan (November 2009) Streetscape Design Strategy

# 3. Planning History

3.1 Extensive planning history exists relating to the various buildings on the development site, the majority are not directly relevant to the proposed application given that the buildings are nearly all to be demolished. Of relevance are the following:

S/111694/F Demolition of existing building and comprehensive site

clearance including the removal of foundations and storage tanks at Hereford Livestock Market. Application undetermined

at the time of writing the report.

S/103138/F & S/103139/L Partial demolition works and reinstatement of north elevation

and windows to east elevation, Old Market Inn, Newmarket St. Planning and Listed Building Consent approved 22 March 2011.

S103136/O Redevelopment of the site including demolition works to provide

mixed use scheme comprising retail, professional and financial services, food drink and leisure (use classes A1, A2, A3, A4 & D2), new public realm, landscaping, car parking, servicing and general highway works including new access arrangements on Newmarket Street, Blackfriars Street and Edgar Street at livestock market and adjacent land, Edgar Street, Hereford.

Outline planning permission approved 23 March 2010

CW/100511/F Demolition of Blackfriars terrace and replacement with all new

seated stand. Demolition of existing floodlight towers and replacement with new floodlights mast. Creation of new emergency access on to Blackfriars Street at Hereford United Football Club. Planning permission approved 23 June 2010.

DMCE092576/F

Demolition of existing buildings and construction of a new highway, cycleway, drainage, landscaping and associated works between the A49 Edgar Street and A465 Commercial Road along with a new link road to Blackfriars Street, Canal Road. Planning permission approved 30 March 2010.

# 4. Consultation Summary

## **Statutory Consultees**

- 4.1 English Heritage: No further comments to make but we commend the advice of the Council's Conservation Officer on the details of the reserved matters.
- 4.2 Environment Agency: No objection subject the conditions; as already imposed on the outline planning permission.
- 4.3 Western Power Distribution: No objection.
- 4.4 Highways Agency: No objection but the Highways Agency would like to highlight the following:
  - 1. One of the proposed electrical sub stations is sited on Edgar Street. Consideration should be given to night time working to install the high voltage services to this sub-station.
  - 2. The widening of the footway in the south east corner of the site may create a pedestrian bottleneck in the future.
- 4.5 The Police: The Crime and Disorder Act 1998 section 17 places an obligation on planning authorities to consider crime and disorder reduction. The Design and Access Statement for this application fails to address and support crime prevention, anti-social behaviour issues or the fear of crime. In relation to car parking, consideration should be given to applying and achieving the Park Mark Safer Parking Award. Attention to the mature height of the boundary hedging on the Blackfriars Street/Edgar Street elevations will ensure good natural surveillance both from and into the car parking areas. Planting and maintenance of trees and shrubs should be carefully considered so that security lighting/CCTV is not compromised. Car park access should be controlled by barrier to reduce anti-social use of the car park and ensure all users pay for the actual time the facility is used. Possible parking migration from the football ground on match days should be considered and its effect on car parking availability and traffic flow. The area of the development between Building B and C and the Old Market Inn is more condensed and less open than other areas of the development. The pedestrian access between Building B and the Old Market Inn should be as wide as Blueschool Way and Blackfriars Lane so that users have a uniformity feeling of safety throughout the development. and be as straight as possible. The current design features a 'dogleg' at the Newmarket Street entrance which will reduce visibility through the footpath. Counter terrorism measures should be considered in the design and construction of features such as bins, inbuilt seating, cycle stands, bollards, walling and public art. Any recessed entrances should be of limited recess or security shuttered during closing hours, and any external pipe work recessed/built in to prevent climbing aids.
- 4.6 Welsh Water: No comments received.
- 4.7 Fire Service: No comments received.

## Internal Council Advice

4.8 Traffic Manager: Recommendation for approval. Discussions with the applicant and their team are on going regarding the materials to be used in the highway works. From the information provided to date, and our own investigations, the use of natural stone materials is very unlikely to provide the longevity and durability required on this currently heavily trafficked

road. The much greater time involved for construction in natural materials, and for future maintenance/repairs such as statutory undertakers works, also weighs heavily against their It is therefore considered far more likely that the Widemarsh Street junction and Newmarket Street raised areas both will need to be constructed in flexible surfacing materials. with the use of a suitably coloured surfacing to blend with the natural materials to be used outside of the carriageway areas. Provision of sample areas is to be undertaken together with further research to assess the use, visual appearance and performance of materials such as Mastertint, where currently in use elsewhere, before a final decision is taken. The length of carriageway between the crossing areas, and probably extending to Edgar Street roundabout, is likely to be surfaced in coloured chipping asphalt, and suitable products are being investigated to achieve visual enhancement to the area. The inclusion of cycle racks in the central reserve of Newmarket Street may assist in changing the nature of the street, however this should be balanced against their accessibility and likely desirability of use, with consideration given to ensure adequate provision within the development itself. considered that enhancement of the street will be achieved by the use of suitably chosen materials, and improvements in pedestrian connectivity, whilst limited by the current traffic volumes, will be achieved by the removal of the subway and replacement by the at grade crossing and provision of the single stage crossing at Widemarsh Gate. Therefore my recommendation is for approval subject to inclusion of any conditions considered necessary to supplement Conditions 10, 20 and 38 of the outline consent DMS103136/O to control final submission and approval of the highway materials and highway works.

- 4.9 Conservation Manager (Landscape and Trees): No objection I have previously provided comments on the outline application (ref: DMS/103136/O, February 2001), which supported the principle of this development. Revisions are still being made to the detail of the drawings, however this response is based on the design intention of the overall proposals that has been provided in the substantial Public Realm document, with associated plans and details. The landscape scheme submitted meets with the principles of Policy LA6 and the streetscape design strategy. I look forward to further involvement with the applicants throughout the final stages of design and construction.
- 4.10 Conservation Manager (Historic Buildings and Conservation Areas): No objection Reconciling large scale new developments with historic city centres is always difficult and whilst in some ways the livestock market has the advantage of being a pre existing, self-contained site, it also poses the particular challenge of re-establishing an organic connection with the city centre. It is considered that the current application meets the objectives recommended in the English Heritage guidance.
- 4.11 Conservation Manager (Archaeology): The development proposal in question has been the subject of detailed and extensive discussions and correspondence over a lengthy period. It would appear that these details are in essence as discussed, and I regard them as fully in order.
- 4.12 Environmental Health and Trading Standards Manager: No objection.
- 4.13 Public Rights of Way Manager: No objection.

## 5. Representations

5.1 Hereford City Council: No objections to the principle of the development. Anxieties remain about the highways issues, especially the traffic implications of re-organisation of Newmarket Street. On-site provision should also be made for a taxi rank (or alternatively for taxis to be able to pick the customers up with no parking fee attached to it). We also recommend that some anti-seagull measures are put in place.

5.2 The full text of these letters can be inspected at Hereford Customer Services, Franklin House, 4 Commercial Road. Hereford, HR1 2BB and prior to the Committee meeting.

# 6. Officer's Appraisal

- 6.1 As explained in the introduction, the vehicular and pedestrian access arrangements were approved at the outline stage. Moreover matters of layout and scale are provided for in the approved masterplan through the setting of principles and parameters relating to siting, height and floorspace.
- 6.2 Therefore the matters to be considered within this reserved matters application are scale, layout, appearance and landscaping of the development and any associated issues within the context of the outline planning permission and the approved masterplan.
- 6.3 This report will therefore consider the following:
  - 1) Building A Scale, layout, design and appearance
  - 2) Building B Scale, layout, design and appearance
  - 3) Building C Scale, layout, design and appearance
  - 4) Pavilions Scale, layout, design and appearance
  - 5) Shopfronts
  - 6) Old Market Inn Public House
  - 7) Public Realm, Landscaping and Connectivity
  - 8) Car Parking
  - 9) Sustainability
  - 10 Conclusion

## **Building A (adjoining Edgar Street and Newmarket Street):**

- This is the largest of the proposed buildings running for 145 metres along the boundary with Edgar Street wrapping around into Newmarket Street for a further 100 metres. Although this building is large, it is considered this part of the site can accommodate a building of this size being predominantly lying adjacent to the heavily trafficked Edgar Street to the west and Edgar Street roundabout to the south where a building with greater presence is required. The scale, mass and height are, however, broken up into several different elements.
- 6.5 One of the most prominent views into the development is from the corner of Edgar Street and Newmarket Street. The development recognises this through the introduction of a visual landmark building to be occupied by the department store. The building is designed to provide a prominent elevation to both the Edgar Street roundabout, Newmarket Street and the internal streets and at a height of 18.5 metres, will have the required presence. The design is distinguished from the remainder of the development through the layout following the curve of the junction between Edgar Street and Newmarket Street and also the introduction of a sawtooth profile roof. The historic reference for this being some of the former livestock buildings currently on site but the roof will be covered with standing seam metal sheeted roof with a zinc or aluminium finish to create a contemporary appearance. The predominant material for this part of the building will be a Herefordshire red brick punctuated with recessed cladded panels and small arrow slit style windows. It is also proposed that this elevation incorporates climbing plants. All these design features will emphasise this elevation overlooking the roundabout creating a recognisable focal point to the development as a whole in the future for vehicles travelling along the trunk road.
- 6.6 The alignment of this building then wraps around the corner of Edgar Street turning into Newmarket Street effectively providing the building with a double street frontage. The angled frontage is articulated with a lower, curved flat roofed section which marks the transition between the two street frontages. The frontage then rises back up to a height of 14.6 metres.

On the corner, a series of shopfronts are proposed which will signify the start of a retail street when walking from Edgar Street into Newmarket Street. The predominant material in this area is also brick with relief in the elevation provided by additional glazed shopfronts and arrow slit style windows at upper floors.

- 6.7 The layout of the department store has been purposely angled to break up the linear street pattern and to align with the new pedestrian crossing on Newmarket Street. The height of this part of the building then rises up to 17 metres to accommodate not only two floors of retail but also a two storey pedestrian colonnade along the face of this elevation. This reinforces this prominent corner position and highlights one of the key pedestrian linkages with the city but also will provide high level views southeastwards towards All Saints Church and across the city beyond. The retail frontage will be accentuated with two storey glazed shopfronts which will marry in with the higher proportions of the building.
- 6.8 Travelling northwards, the entrance to the department store is to be reinforced at ground and first floor through the alignment of the shopfront and the use of different materials likely to be render or stone. The east elevation of this building then creates a new retail street with a series of eight one and a half storey shopfronts of identical proportions within a predominantly brick façade. The pedestrian colonnade feature is continued at second floor level along this retail frontage and will be defined by a timber pergola structure with climbing plants. This will allow further city views whilst providing a legible route for pedestrians from the roof level car parks. The upper level roof car park is to be set back around 4 metres from the face of the building to ensure the cars are largely screened from wider vantage points.
- 6.9 The northern end of building A is occupied by a food store at ground floor with retail at first floor. The frontage effectively kicks out eastwards and is further reinforced with a full height (15.4 metres) metal frame canopy infilled with timber louvers which will provide a focal entrance to the food store and a feature on the north elevation of this building to balance out the south elevation.
- 6.10 The north elevation of the food store is predominantly brick and largely glazed at ground floor which will ensure this unit also addresses the proposed car park immediately to the north. This elevation is framed at either end by an entrance canopy to the east as described above and the proposed service yard screen to the west. This takes the form of a metal frame incorporating three different size horizontal grid lines relating to the building's internal organisation. At street level, this will take the form of a dense metal screen which will support climbing plants. The middle section is a series of closely spaced vertical timber louvers installed at varying angles to create a different and changing visual effect whilst travelling along the elevation and ensuring that equipment mounted on the roof is screened from all angles. At upper level, more openly spaced timber louvers are proposed incorporating occasional gaps to create additional visual interest and enable further views from the upper level car park. It should be noted that sufficient distance and intervening trees exist between this elevation and nearest residential properties to ensure their amenity is safeguarded. At its northern end, this building incorporates an access ramp screened behind a brick wall to provide access to the upper deck car parks.
- 6.11 Although this elevation is effectively the rear of the building, it is nevertheless a very prominent elevation. The proposed screen provides an appropriate solution which in functional terms, ensures the service yard and equipment are screened effectively whilst architecturally, creates a softer edge to the development respectful of the setting of the adjacent Conservation Area. The use of climbing plants and timber louvers will also harmonise with the adjacent mature trees within the central reservation of the trunk road.
- 6.12 The elevations have been articulated to read as a series of separate buildings rather than a single block. Additional detailing such as the entrance to the food store, the roof of the department store, the Edgar Street screen and views from pedestrian walkways will further

enhance the visual interest of this building and ensure it respects its prominent location on the corner of the development and adjoining the Conservation Area. The layout, scale and appearance of Building A are therefore considered acceptable in accordance with the requirements of UDP policies DR1 and TCR20.

# **Building B: (Adjoining Newmarket Street):**

- 6.13 This building contains predominantly retail at ground floor with a six screen cinema at first floor. The elevational and roof plans for this building have been amended during the course of the application to address officer concerns. The alignment of the Newmarket Street frontage follows that of the department store to the west; the eastern elevation is broadly parallel with the Old Market Inn, whilst the north and west elevations follow the linear alignment of the new internal streets.
- 6.14 This building, at a maximum height of 19 metres, is comparable with the highest part of the Edgar Street/Newmarket Street frontage of the department store on Building A. This is principally dictated by the need to accommodate the cinema at first floor and the required floor to ceiling heights associated with this use. However, it should be noted that this height is 1.4 metres less than the maximum height parameter approved at the outline stage. The applicant has recognised the complexity of integrating the cinema successfully into the overall scheme, and their architect has proposed a design approach which is considered to overcome officer concerns at the time of the outline application.
- 6.15 The north and west elevations are the primary retail streets. In keeping with historic buildings with the city centre, the proportions of these elevations are broken up through changes in size and design of the shopfronts and mix of materials whilst retaining a rhythm of buildings within the retail street. The impact of the roofscape is equally as important in its contribution to the appearance of the street and this is proposed to be broken up through a combination of pitched roofs and flat roofs behind parapets. Architecturally, this creates additional interest to the building frontages and creates the opportunity to assimilate the different buildings with the development as a whole.
- 6.16 On the north elevation, the entrance to the cinema is reinforced with a slightly higher section returning along the full east elevation. This is punctuated with large glazed panels which will provide views into the cinema lobby. First floor access to the cinema lobby will be via elevators along with separate lift access for those of restricted mobility. With the exception of the cinema element, the predominant materials are brick, with feature timber and metal at upper floors to provide additional visual interest and variation in the shopfront designs. Minor concerns exist regarding the interface of the east elevation with the Old Market Inn but this can be addressed through reviewing the materials and the possible introduction of further climbing plants to soften and break down this elevation.
- 6.17 On the south elevation, the height and mass can be absorbed within the wider street frontage due to the width of Newmarket Street and location of nearest buildings. Indeed, this street currently lacks any form of building enclosure and therefore the height and presence this building provides is welcomed in this respect. The height of the building is softened through differentiation in materials and roof form. To the west of the cinema and fronting onto Newmarket Street will be a series of Dutch gable style pitched roofs, the last one of which steps up in height to connect with the cinema and similarly to the east, the roof drops down towards the Old Market Inn to respect its scale.
- 6.18 The southern elevation and particularly the central section of this building presents the greatest challenges due to the scale of the cinema element and the limited opportunity to break up the mass of the upper floor. Either side of the cinema at ground floor, retail frontage is proposed with further animation at first floor created through the introduction of large glazed panels above both the retail units and the cinema. This ensures these elements appropriately

address Newmarket Street and will assist in drawing in additional footfall along the street changing its character. However, the area below the cinema is predominantly occupied with the service yard and fire escape access which creates limited opportunity for active frontage within this section. New bus shelters are proposed to be an integral part of the elevation which will add some visual interest at pedestrian level but the need for the upper elevation to include additional visual interest is considered essential.

- 6.19 Following discussions since the submission of the application amendments are being proposed, which will ensure this prominent elevation contains the required visual and architectural quality without impacting upon the functionality of the uses.
- 6.20 Notably the applicants have agreed to change the materials used to clad the cinema from a cement board to timber, and are proposing to introduce a series of illuminated reveals into the first floor which visually combine with the windows on the flanking retail units. The materials will provide a much softer appearance and will complement the rich Herefordshire red brick proposed for the remainder of the elevations. This elevation will be further animated through the introduction of subtle lighting features.
- 6.21 The overall height of Building B is fully supported but the massing of the cinema element and the manner in which the various components of the building knit together is a challenge. The further amendments are welcomed in that they break down the mass of the cinema and reinforce the shopping street as the primary element to the north whilst providing a softer articulation of the elevation to the south. Subject to the proposed changes being accommodated, the layout, scale and appearance of this building is therefore considered acceptable in accordance with the requirements of UDP policies DR1 and TCR20.

# **Building C: (West of Garrick Multi Storey):**

- 6.22 This sits immediately west of the Garrick multi-story car park and predominantly comprises two storey restaurant uses. This unit is broadly rectangular in shape and has its primary retail frontage to the south facing the Old Market Inn Public House and the new internal retail street with secondary frontage to the west overlooking the car park. The height at 14 metres is lower than the other buildings but contextually, is comparable in height with the highest part of the multi-storey car park. The mass of the retail frontage is broken up through creating a series of six individual frontages following the proportions of the shopfronts and a series of Dutch gable pitched roofs similar to that proposed for parts of Building B. The rhythm of the elevation, whilst repeated in building scale, is varied in terms of the punctuation of the first floor elements through different size glazed and cladded panels along with a larger shopfront on the western most unit which also turns the corner. This will again provide visual and architectural interest to the street and ensure the areas of brickwork at upper floors are broken and do not dominate the setting of the Listed Building.
- 6.23 The predominant material for the main part of the building is again brick with the exception of the rear elevation where slate grey cement board cladding is proposed. The introduction of climbing plants on the western elevation is proposed and opportunities also exist for the re-use of some of the stone signs present within the fabric of the existing buildings on site. Along the frontage, bespoke awnings will also be incorporated into six of the units to enable some of the restaurant uses to spill out into the street creating additional activity day and night. As well as creating architectural interest, the roof form of this building also cleverly enables all plant to be concealed with the roof void whilst the top of the Dutch gables roofs will host renewable energy equipment.
- 6.24 Attached to the southeast corner of the Building C is a further unit known as Pavilion 3. This is a flat roofed design and is proposed to be clad with timber. This is purposely of a different scale and appearance to marry in with the two proposed detached pavilions to the east and

- south whilst also providing the continuity of retail frontage and assisting in masking the southern elevation of the multi-storey car park.
- 6.25 The scale and appearance of this building is appropriate to its prominent location on the main pedestrian gateway into the development from the city centre and proximity to the listed public house. The rhythm of the elevations creates a harmonious appearance whilst the detail and changes in materials will ensure a high quality streetscape is achieved. The scale, layout and appearance of this building is therefore considered acceptable in accordance with the requirements of UDP policies DR1 and TCR20.

### Pavilions and retail kiosks:

- 6.26 The pedestrian gateway into the development from the city centre is framed by two detached two storey pavilions likely to accommodate restaurant uses. Pavilion 1 is sited alongside the south face of the multi-storey car park and at a height of 10 metres will assist in partially screening the multi-storey without being too overpowering within the entrance into the development. The design references for this pavilion have been taken from historic market halls still remaining in Ledbury and Ross-on-Wye. This pavilion will have an external timber frame with a predominantly glazed frontage at ground floor on the eastern, western and southern elevations so as to address existing and proposed streets and new areas of public realm. In addition, at ground floor on the south elevation the building incorporates a small covered colonnade as a modern interpretation of historic examples. Additional interest is created at first floor through timber shutters alongside the windows.
- 6.27 Pavilion 2 is of similar footprint but at 9.0 metres is lower in height. This pavilion is proposed to be in brick but the applicants are also considering a softer pallet of materials such as elements of render and timber cladding to contrast with and reinforce the prominence of the Listed Building. This pavilion incorporates a glazed frontage to all four of its ground floor elevations which is considered necessary to reflect its prominent location fronting both Newmarket Street and all areas of public realm within the entrance to the development. Some of the detail of Pavilion 1 is replicated in Pavilion 2 such as the first floor timber shutters and the roof form to ensure the two buildings harmonise with each other.
- 6.28 Immediately north of Building B is a series of three small retail kiosks. These are designed to have an external timber frame with a hipped roof and could be partially or fully enclosed. They are sited to create a degree of retail enclosure to the south side of the car park and provide continuity of retail frontage and will offer lower cost, easily changeable retail units.
- 6.29 The pavilions create a visual landmark at the end of Widemarsh Street linking old and new, whilst the kiosks add interest to the scheme and act to define the transition between the car park and pedestrianised areas. Subject to the possible amendments detailed above, the scale, layout and appearance of the pavilions and kiosks are considered acceptable in accordance with the requirements of UDP policies DR1 and TCR20.

### Old Market Inn:

6.30 Planning and Listed Building Consent was approved earlier this year for the removal of the more modern extension on the north elevation of the public house and the introduction of three sets of glazed patio doors to provide access directly onto the new internal retail street. In addition, the traditional sash windows are to be reinstated within the principal elevations to the listed building. Alongside these works, the masterplan incorporates a new enclosed garden adjoining Newmarket Street. This will not only provide a useful amenity space to serve the public house and provides an opportunity for planting of larger specimen tree but also assists in breaking up the alignment of buildings on Newmarket Street.

6.31 The scheme has been designed from the outset to take proper account of the need to provide an appropriate setting for the listed building. The careful selection of materials, the articulation of adjoining elevations and the wider changes to the public realm combine to provide an appropriate and enhanced setting for the building.

# **Shopfronts:**

- 6.32 The appearance of the shopfronts will heavily influence the primary elevations to the buildings and the shopping and leisure experience. The majority of the future occupiers are not yet known and therefore to ensure a consistent framework for the design and appearance of shopfronts and associated signage, the applicants are preparing a shopfront design guide. The submitted elevation plans identify the proportions for the shopfronts associated with each unit. The design guide will then identify the architectural parameters and palette of materials which each occupier will have to follow.
- 6.33 To ensure a degree of flexibility and variation in appearance, the design guide will include a range of options for the height of the glazing, configuration of entrance doors, first floor features ranging from glazing of varying sizes to fully clad timber, metal or cement board panels. Fascia signage is all likely to be internal with different options for projecting signs and associated illumination also included. The final details of the design guide are yet to be submitted but this will ensure a consistent design theme for both shopfronts and signage whilst allowing sufficient flexibility for individual occupiers to create their own identity or incorporate some of their corporate branding. This will also fulfill the requirement of UDP policy HBA10.

# Public Realm: Hard Landscaping:

- 6.34 Whilst the architecture of the buildings is clearly important, also key to the success of the development is the quality and functionality of the spaces and streets and the manner in which they connect the development together. The application is supported by full details of the proposed hard and soft landscaping.
- 6.35 Internally within the site the buildings are connected by two new primary streets running north/south and east/west. The pedestrianised area in front of the pavilions will be surfaced with the same natural Pennant stone found within Widemarsh Street to the south. This will create a visual link between the new development and existing shopping areas. Elsewhere within the scheme, precast concrete flags which have a contemporary appearance and which will complement the natural stone is proposed. The areas of paving are to be broken up through use of textured conservation kerbing creating a grid effect which will also serve as drainage channels. To further visually connect the new development with existing streets, this paving is also to continue along the north and south sides of Newmarket Street.
- 6.36 The width of the streets varies between 8 and 13 metres which will ensure they do not feel claustrophobic and the siting and form of the buildings assists in breaking up the street alignment. The layout is also designed to be permeable allowing for free movement particularly onto Newmarket Street around the Old Market Inn but also through the creation of a new direct pedestrian link to the north on to Blackfriars Street surfaced with the same paving material. The existing enclosure along the eastern boundary is also to be removed allowing pedestrian access to the development from the east. The Police have expressed concerns regarding some of the narrower pedestrian routes around the public house but these are a typical feature of the city centre and are short in length. The remainder of the development is more open and the development will have the benefit of CCTV coverage. The development satisfactorily addresses crime related considerations in its design and layout as required by Planning Policy Statement 1.
- 6.37 The northern quarter of the site along with part of the central section is dedicated to surface level car parking which is to be surfaced with standard black macadam. Within the car parking

- area, pedestrian routes are defined through the application of thermoplastic buff coloured surface and elsewhere, surface dressed bitumen macadam is proposed to create a more informal textured surface around the retail kiosks.
- 6.38 A shopper's experience of the public realm can also be heavily influenced by the proposed street furniture. There are several areas within the development where bollards are required to delineate vehicular routes. These are proposed to take the form of low level square oak posts which will complement the use of timber cladding within the buildings throughout the development. This theme is continued by the use of timber benches, timber framed retail kiosks and the covered trolley and cycle parking. Lighting within the pedestrian streets is to be building mounted and of a contemporary design that complements the building elevations. This will also minimise the amount of fixtures within the streets themselves. A similar strategy exists for all proposed signage.
- 6.39 The proposed hard surfacing materials within the development and the manner in which they are laid out will ensure that the buildings and streets are legibly connected whilst the mix of materials and proposed street furniture will add to the architectural diversity and visual interest for shoppers. These elements are consistent with the Streetscape Design Strategy and satisfy the requirements of policies DR1 and TCR 20 of the Herefordshire Unitary Development Plan.

## Public Realm: Soft Landscaping:

- 6.40 Extensive new tree planting within the car parking areas are proposed to break up these areas and where feasible, new tree planting is being incorporated within the streets themselves. Within the entrance off Widemarsh Street and adjoining the Old Market Inn, the opportunity also exists for larger specimen trees such as evergreen oak and walnut to be introduced which will provide a green entrance into the development. This will be supplemented by the creation of planting beds along the southern base of the multi storey car park, softening the impact of this building.
- Reflecting the existing mature trees along the central reservation within Edgar Street, new trees are proposed to be planted on the northern boundary supplemented by a mixed beech and holly hedge, with additional trees being planted along part of the east and west boundaries. The northwestern boundary of the site will be further defined with architectural railings to create the enclosure that is required without obscuring views into the development. Wherever possible, soft landscaping such as ivy and hydrangea has also been introduced into the building elevations including along the department store frontage, along the roof level pergola adjoining the car park, along the Edgar Street elevation and along the western elevation of Building C. More unusual tree species such as Austrian pine are proposed adjacent the vehicular entrance into the site off Blackfriars Street to create a focal entrance feature and add to the diversity of tree species. Fruit trees are also proposed in some peripheral areas which will enhance the biodiversity value of the planting. The soft landscaping strategy within the site is considered acceptable in accordance with Policy LA6 of the Herefordshire Unitary Development Plan.

### **Public Realm – Connectivity:**

6.42 Fundamental to the success of the development is the manner in which pedestrian connectivity between the city centre and the site is enhanced. The design of the new pedestrian crossings for Widemarsh Gate and Newmarket Street were approved at outline stage. At Widemarsh Gate, the works will facilitate a single stage traffic signal controlled crossing whilst the removal of all pedestrian barriers will mean that confident pedestrians can cross at any time within any part of the junction. The whole crossing will be a raised table design which will mean there will be no changes in levels from the footpaths on Widemarsh Street to the new streets within the development. The same principles and design are

- proposed for the Newmarket Street crossing to the west, except this is a two stage staggered crossing.
- In both cases, in terms of appearance the strategy is to emphasise the single surface pedestrian zone, by utilising a material and colour for the highway elements that harmonises with the natural Pennant stone in existence on the southern section of Widemarsh Street and proposed within the development fronting the pavilions to the north of Widemarsh Gate. In this way the appearance will be significantly enhanced with higher quality materials that visually change the definition of the crossing from highway to pedestrian priority. Whilst the materials for these crossing areas are yet to be finalized, it is more likely that a flexible surfacing material, rather than natural stone, will be used for the highway elements. Flexible materials are expected to offer significant benefits in terms of both shorter construction time (and hence reduced traffic impacts) and greater longevity given the volume of traffic that Newmarket and Blueschool Streets carry. The extent of road markings and other street clutter such as bollards are also proposed to be minimised partly through consideration of the introduction of a 20mph zone.
- 6.44 This design will reinforce the pedestrian routes between the development and the city centre and will signify to drivers a change in the nature of the street, thereby allowing improved interaction between drivers and pedestrians.
- 6.45 The remainder of Newmarket Street is also to be upgraded through the resurfacing of the pavements on the north and south sides of the street with the same material as is proposed in the development, removal of the central reservation barrier, widening of the central reserve and the introduction of a central strip of surface dressing material creating a softer appearance. These works will be supplemented with additional tree planting both on the south side of Newmarket Street and along the full length of the central reservation between the crossings. Consideration is also being given to the surfacing of the carriageway elements between and west of the new crossings with an appropriate coloured surface. Some of the works in this area are likely to require Scheduled Ancient Monument Consent due to the proximity to the City Wall. It is not anticipated that this will present any issues and if approved, the works and development as a whole will enhance the setting of the city wall.
- 6.46 The combination of the works both to Newmarket Street and the proposed new crossings will assist breaking down the barrier that the road currently poses, changing the character and appearance of Newmarket Street from a vehicle dominated highway to a retail street which confident pedestrians can cross at any point. The requirements of policies DR3 and TCR20 have therefore been satisfactorily met.

### Car Parking:

- 6.47 The development includes the provision of 517 new car parking spaces for visitors. Excluding ad hoc parking around some of the commercial units, the development would result in the loss of around 250 existing spaces within the site and therefore the total increase will be 267 spaces. This level or provision was deemed acceptable at the outline stage by both the Highways Agency and the Traffic Manager given the sustainable location of the site and existence of other public car parks nearby that will not be affected by future ESG proposals.
- 6.48 The car parking is to be split between surface level car parking along the northern boundary with Blackfriars Street and centrally within the site totalling 153 spaces along with roof level car parking above Building A totalling 364 spaces. The car parking is to be managed by Stanhope and will operate on a pay on exit number place recognition system. The charging regime is yet to be finalised but the development agreement requires that the pricing structure cannot be lower than the highest tariff charged by the Council for its city centre car parks. In addition, it is likely that there will be a short term free entry/exit for taxis to pick up and drop off within the site which addresses one of the city council concerns. The development does not include a

- dedicated taxi rank but a safe zone has been provided along the frontage of the food store for taxis to pick up and drop off customers.
- 6.49 The design and layout of the car parking is relatively standard but the mass is broken up with extensive tree planting and variation in the type and colour of surface materials with pedestrian routes reinforced with different materials. The layout and level of parking provision and associated operation, management and pricing restrictions are considered acceptable.

# Sustainability:

- 6.50 The applicants are committed to minimising the carbon footprint of the development through delivering a holistic sustainable design which can provide a benchmark retail scheme for the county, against which future developments will be judged. This has been driven by Hereford Futures sustainability policy which sets a target that all of the new build must achieve a Building Research Establishment (BREEAM) rating of 'Excellent' with existing buildings to be refurbished achieving a BREEAM rating of 'Very Good'.
- 6.51 The BREEAM assessment includes 10 categories of sustainability against which the development will be judged and the methodology will be a two phased process. Stage one will be the shell and core and phase two will be the retail fit out stage. The shell of the building will have a higher thermal performance than is required by current Building Regulations, reduced air permeability and incorporate design features to minimise peak solar gains on the retail elevations in order to naturally control temperatures. Internally, energy meters will be installed throughout, zonal thermal and lighting controls will be used and energy efficient lighting and displays incorporated.
- In addition, a further requirement is that carbon emissions must be reduced by 10% through the use of renewable energy technology. The roofs of the all the buildings will accommodate photovoltaic panels and other options such as ground and air source heat pumps are being investigated. A development wide combined heat and power installation has been discounted on technical, energy profile and financial grounds and annual average wind speeds are not conducive to wind turbines. The required measures have been factored into the design process and the applicants have committed to the additional costs associated with delivering some of the required sustainability targets. Furthermore, to ensure measures are not diluted once tenants fit out and occupy the units, requirements will be written into the Heads of Terms with future tenants. This represents a significant commitment on a development of this size and will ensure the development is sustainable in terms of its construction and more resilient to climate change in line with the requirements of Planning Policy Statement 1.

### Conclusion:

- 6.53 The success of the development and its ability to claw back some of the retail expenditure that currently leaks out of the County will be heavily influenced by the quality of the scheme. The three principal buildings each have an individual scale, appearance and detail as appropriate to their position within the site and context whilst the detail of the shopfronts and palette of materials will provide architectural synergy across the development as a whole. The primary connection between the city centre and the development is appropriately celebrated and reinforced with a combination of the pavilions and high quality public realm whilst the highway barrier that Newmarket Street currently presents has been broken down with the design and appearance of the new crossings and wider upgrade works.
- 6.54 The public realm will connect the buildings through a series of new streets, walkways and spaces which will be legible and will reinforce the linkages with the city centre whilst the soft landscaping both around and within the site will create a greener edge and environment within the development. Appropriate car parking provision is proposed given the sustainable location of the site and a high sustainability construction standard is being achieved ensuring that the

development reduces its carbon emissions and is resilient to climate change. The variation in the size, layout and format of the units to be created will also meet modern retailer requirements that the existing city centre cannot fully provide.

6.55 The development will result in £80 million of private sector investment into the city and county generating in excess of 1,000 new jobs once operational. Most importantly, the layout, scale, appearance and landscaping of the development has the appropriate quality that will complement and enhance the vitality and viability of the city centre as a whole for the benefit of current and future generations. An update will be provided at Committee regarding some of the design amendments currently being considered by the applicant but subject to these, the application is considered to be fully development compliant and is recommended for approval.

### **RECOMMENDATION**

Subject to the receipt of satisfactory amended plans addressing the issues raised in this report, officers named in the scheme of delegation to officers be authorised to issue reserved matters approval subject to the following conditions and any further conditions considered necessary by officers:

- Within twelve months of the commencement of development or in accordance with a timetable to be agreed in writing with the local planning authority, details to include scaled plans of the following shall be submitted for the approval in writing of the local planning authority:
  - a) The design, materials and finish for the gates serving the service yards on Edgar Street and Newmarket Street.
  - b) The material, finish and means of enclosing the retail kiosks.
  - c) Details of the planting beds for the areas of climbing plants.
  - d) The material, height, finish and means of enclosing the new garden associated with the Old Market Inn.
  - e) Details of any externally visible rainwater goods.
  - f) Plans, materials and finish for the trollev parks.

Development shall be carried out in accordance with the agreed details and shall be completed prior to first occupation of any of the units hereby permitted.

Reason: To ensure a satisfactory design and appearance to the development and to comply with Policy DR1 of the Herefordshire Unitary Development Plan.

The siting, design and external appearance of all plant and equipment, including renewable energy generation, and any associated supporting structures shall be submitted, approved and completed prior to the occupation of the relevant unit(s) which they service.

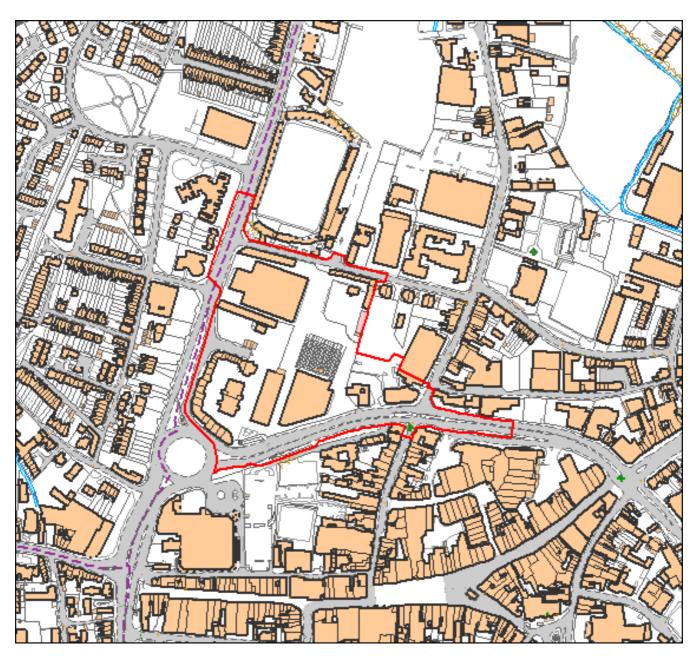
Reason: To ensure a satisfactory design and appearance to the development and to comply with Policy DR1 of the Herefordshire Unitary Development Plan.

3 C06: Development in accordance with the approved plans

### Informative:

- 1. N09 Approval of reserved matters
- 2 N15 Reasons for the grant of planning permission

Decision:	 	
Notes:	 	
Background Papers		
Internal departmental consultation replies.		



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APPLICATION NO: DMS/112085/RM

SITE ADDRESS: LIVESTOCK MARKET & ADJ LAND, EDGAR STREET, HEREFORD, HR4 9HX

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