

Hereford Enterprise Zone Local Development Order (LDO) 2019

Schedules of Representations in response to Draft LDO, May 2019

Schedule 1: Representations and Response

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
R.1 A Howells Wye Valley Group	<p>The paddock fronting Holme Lacy Road is zones as open space in 2007. Could this have been amended as sure it was zones as B2/B8. Confirm that we would like to see the land to the south-east corner of our ownership, east of Fordshill Road, included within the LDO.</p> <p>The site was shown as a protected open space in Herefordshire Unitary Development Plan (UDP) but fell within the settlement boundary for Hereford. The UDP is no longer the Development Plan for the area and any use would need to be judged against policies within Herefordshire Local Plan Core Strategy (HCS). The adjacent area falls within what would be defined under HCS policy HD7. Having previously been shown as open space Herefordshire Local Plan Core Strategy policy OS3 is also considered relevant. In relation to this latter policy, the site does not have public access. The immediate area is industrial land, and no specific need for informal areas of open space for use by employees or visitors has been identified. No requirement for specific open space has been required elsewhere on the industrial estate either through the LDO or through planning applications. The reason for its designation is uncertain but may be in order to protect amenity of adjacent dwellings. It is considered that an appropriate level of such protection can be afforded through restricting the use to B1 together with other relevant conditions that will strengthen the protection of residential amenity of nearby dwellings. B2 use would be inappropriate because of its location adjacent to dwellings. Some forms of B8 use might be acceptable upon this site although may require specific design provisions, the detail of which could not be controlled through the LDO and hence should be subject to a planning application.</p>	Restrict area to B1 use and other appropriate conditions that would protect residential amenity.
R.2 D Horne	<p>Has any consideration been given to protecting the track-bed of the former Hereford to Ross railway line which runs through the site? In the future if may be desirable to reinstate this route.</p> <p>The majority of the former rail line that runs through the Enterprise Zone now forms part of a City-wide cycle route that enables better access for those seeking to walk or cycle to work. Some development has already been undertaken on other parts of the former route. There are currently no proposals to reinstate the route as some form of rail/tram link and its route is not protected through Herefordshire Local Plan Core Strategy.</p>	No change proposed in relation to this representation
R.3 N James Herefordshire Council Environmental Health	<p>The revised Draft LSO seems to retain the contaminated land conditions of the original (numbers 12 and 13) and as such, I've no comments to make.</p> <p>Noted with thanks</p>	No change proposed in relation to this representation
R.4	We would note:	No change

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M Knight Herefordshire Council Historic Environment Team	<ul style="list-style-type: none"> The Shell Store, Blast Walls and Bunkers to the North of the site are considered non-designated Heritage Assets (NDHA's). The Historic England Listing Selection Guides are a recognised way of determining the significance of such assets. (https://historicengland.org.uk/images-books/publications/dlsg-military/) The Historic England guide gives more information on NDHA's: https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/ More information is available on the HER and in the various local history books on the Rotherwas Munitions Factory. Whilst being a NDHA does not bring into play the consent regime of the P(LB&CA)Act 1990, it is a material planning consideration under the various policies within the NPPF and adopted Herefordshire Core Strategy for any works which require consent. <p>Our comments on the LDO are:</p> <ul style="list-style-type: none"> The LDO doesn't change the protection of the non-designated heritage assets from demolition, however it does mean that the impact on the significance of these assets due changes to these structures might not be considered as part of the normal planning process. We would ask that if there is a way in which these assets can be retained as part of any development proposals, or that this intent can be officially recognised or recorded we would be very grateful. Can a statement of significance for the NDHA's be included within any documentation for the EZ and/or LDO? <p>The LDO is not a planning policy document but has been informed by Rotherwas Industrial Estate Heritage Assessment and Conservation Management Plan (Herefordshire Archaeology Report No. 312) which includes a section on 'Identified Heritage Assets and their Significance' (Section 3). Reference is made to this document in paragraph 3.24. This is considered the most appropriate way in which to address the issue of NDHAs.</p>	proposed in relation to this representation
R.5 B Klemperer Historic England	Historic England has no objection in principle to this proposal. We recommend that you consult with the Council's own specialist building conservation and archaeological advisors with regard to the detailed proposals for development so that the significance of the historic environment can be properly incorporated into detailed plans. A mitigation strategy for the historic environment may be required in order to ensure that proposals are fully informed. As well as direct impacts the potential impact upon the historic environment caused by development within the setting of heritage assets should also be considered. In particular we draw your attention to the Rotherwas Industrial Estate Heritage Assessment and Conservation Management Plan undertaken by Herefordshire Archaeology, report no 312. This reports gives a useful baseline for the area. There are a number of listed buildings within the Enterprise Zone area, as well as other sites recorded on the Council's Historic Environment Record, including structures relating to the former munitions works at Rotherwas. We also highlight	No change proposed in relation to this representation

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	<p>two scheduled ancient monuments in the area, these are Lower Bullingham Deserted Medieval Village., Heritage List for England ref: 1005320, and the site of Rotherwas House, including formal gardens and the Rotherwas Chapel (also maintained as an English Heritage Trust visitor site) , HLE ref: 1014880.</p> <p>Finally we mention the need to protect the site of the Rotherwas Ribbon, a prehistoric feature that has been the subject of excavation and research. This resulted in measures being taken to afford physical protection to the now-buried archaeology of that site.</p> <p>Consultations have been undertaken with Herefordshire Council's historic assets professionals and particularly its Archaeological Adviser. The LDO been informed by Rotherwas Industrial Estate Heritage Assessment and Conservation Management Plan (Herefordshire Archaeology Report No. 312) which includes a section on 'Identified Heritage Assets and their Significance' (Section 3). Reference is made to this document in paragraph 3.24. Assets that require protection, including the site of Rotherwas Ribbon, are referred to within the LDO and protected in accordance with advice from the Archaeological Adviser.</p>	
R.6 M Willmont	<p>Any submission made under the LDO should be included on the planning public register of applications so that the public can be aware - even if they are not able to comment.</p> <p>It is agreed that this should be done</p>	Provision will be made to ensure prior notifications are included upon the Planning Register in the future.
R.7 R Gibson And R.8 G Ellis (similar issues raised by both)	<p>As part of my decision to move to Hereford extensive searches of all planning records were made and, having satisfied myself with my solicitor that the area of land directly opposite the house fell outside the Local Development Order for the area I was happy to accept living close to the employment area. I now see that the triangle of land opposite is to be considered as part of the employment area and subject to preference by your council for development. This is the only piece of land directly opposite a number of dwellings on Rotherwas and, if built upon, will have a significant impact on the enjoyment of the property, the aspect from the front of the dwelling and, consequently, values. We are extremely surprised and particularly upset that we might find ourselves directly opposite future development on a small area of land which adds little to the overall development at Rotherwas and has a large impact on those Council Tax payers living here. The old railway embankment is, together with the former bridge buttresses on Holme Lacey Road, a major piece of local industrial heritage, evidenced by the positioning of the ex-army train on the entrance to Fordshill Road. It is a clear reminder from the road of the history of this area. Any development will obscure the embankment from the road and thus lessen its reference with the community. This goes against Rotherwas's clear policy of engagement seen by the striking artwork on the Straight Mile to the legacy of the "Women of Rotherwas".</p>	Restrict area to B1 use and other appropriate conditions that would protect residential amenity.

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	<p>Please can you confirm whether the impact of light pollution has been considered? As the 3rd best dark skies area in the country I believe that the impact of additional lighting here will be significant.</p> <p>It has never previously been the intention to develop this area with a high quality specification development at the entrance to the estate. The location of the 'Welcome to Skylon Park' shows the intention of the developers not to include this area of land.</p> <p>The majority of the designated LDO is still undeveloped and only a small proportion of buildings are either complete and/or let. A significant amount of the land is still vacant. At a time of great economic uncertainty due to Brexit and which is still early days for the land already earmarked for development it would not be appropriate to review the need for additional land beyond that already included within the LDO. The current, limited, demand has been satisfied and is no where near meeting the level of supply of existing buildings let alone any development planned for currently vacant sites. This is evidenced as one would have expected that in a time of reasonable prosperity in an area benefiting from the relaxed planning regime since 2013 there would have been a greater take up of land and property for development. This is not the case and the demands on land do not support extension of the Local Development Order.</p> <p>The existing LDO clearly shows that the lake is a barrier to expansion of the industrial estate. It identifies potential future development but clearly excludes the lake and the subject land. The current LDO has changed in only one aspect. The inclusion of the lake (which appears to coincidentally been filled in) and the land opposite Hazelmere. If the lake has not indeed been filled then it should be excluded. Has the environmental report accounted for the possible filling in of the lake?</p> <p>Has the protected area (Rotherwas cemetery) been preserved by the current owner? It is difficult to see to what this refers to in the text "Rotherwas House Green Space Buffer Zone, Rotherwas House Cemetery or the corridor identified within the southern extension area."</p> <p>The railway embankment amenity land is not capable of development or, potentially, forms part of the railway plans to reinstate the line. The old railway embankment has potential for reinstatement (see Dr Dominic Horne's response to LDO). If this blue area is removed you will see that the subject land is not contiguous or touching any area within the LDO and, as such, should surely be considered as outside the boundary of the LDO. In effect it should be subject to its own LDO. Excluding the lake then, it is even more removed from any existing LDO. It is</p>	

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	<p>noted that in the representations document there is a request to have the LDO moved to completely encompass all of the Wye Valley occupation. This would clearly remove the argument that the subject land is outside any area of future development but would allow the expansion of the current occupier's influence which is not appropriate.</p> <p>Woodland appears to have been completely cleared and prepared for redevelopment. Has permission been sought to remove this amount of woodland? Does the lake remain? Has the occupier approached the owner and instigated this change to the Local Development Order? The amount of work and cost expended on this is not insignificant and appears to anticipate the proposed changes to the LDO.</p> <p>In layman's terms would the development of the subject land add a proportionally significant amount to the overall size of the development area? The Environmental Impact Assessment refers to it as a 'small area'. What would be the cost to the only residential property's impacted by this.</p> <p>Matters raised include loss of residential amenity, site of limited benefit to the development of the industrial estate, loss of heritage asset, light pollution, no intention to extend the LDO to include land at the eastern end of the estate, there is no need for the additional land, the filling in of the lake, the intention for preserving Rotherwas House cemetery, safeguarding the former railway line, the eastern extension is not contiguous to the rest of the estate, and the clearance of woodland.</p> <ol style="list-style-type: none"> 1. The area is only separated from a number of residential properties only by Holme Lacy Road and is therefore considered to lie adjacent to a residential area where any business or industrial use should be restricted to B1 use [offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area]. Restricting development on this particular parcel to B1 use would provide safeguards in terms of ensuring uses do not affect amenity in terms of noise and other pollution – see condition 16. 2. The site lies immediately adjacent to existing business properties and within the settlement boundary defined in the previously adopted Herefordshire UDP. It was shown in that plan as a protected area and green space. The UDP policy no longer applies and the site would fall to be considered under Herefordshire Local Plan Core Strategy policy OS3. In relation to this latter policy, the site does not have public access. The immediate area is predominantly industrial land, and no specific need for informal areas of open space for use by employees or visitors has been identified. No requirement for specific open space has been required elsewhere on the industrial estate either through the LDO or through planning applications. The reason for its designation is uncertain but may be in order to protect amenity of adjacent dwellings. It is considered that an appropriate level of such protection can be afforded through provisions referred to in 1 above while enabling a reasonably beneficial use. B2 use would be 	

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	<p>inappropriate because of its location adjacent to dwellings. Some forms of B8 use might be acceptable upon this site although may require specific design provisions, the detail of which could not be controlled through the LDO and hence should be subject to a planning application. It would not be appropriate to use the site for housing given proximity to the business operation to the north.</p> <ol style="list-style-type: none"> 3. No evidence has been found that the site has any significant heritage value. The train might be relocated, possibly to a more visible location. 4. The impact of light pollution has been considered and a condition included in the LDO (condition 15). This has been revised to require submission for approval of any external lighting measures that may be sought after building construction as well as at the time of initial notification. The site lies immediately adjacent to Rotherwas Industrial Estate and the City, and will have a very minimal effect on the overall level of light in relation to the sky. 5. There was no intention to fix the extent of the employment area covered by the LDO (2014) to that indicated in that version. There was always the intention to review the order as indicated in para 4.13. The location of any sign is not an indication of any extent of the estate area and industrial units currently extend beyond this. 6. The estate covered by the LDO needs to provide the maximum opportunity for attracting businesses and employment as the key industrial centre within the County through providing a range of sites. The portfolio of sites is important, as is planning ahead for business needs. Growth has been strong and fairly continuous during the 5 years of the Enterprise Zone. Take up been strong since the LDO has been adopted and one of the reasons why additional provision needs to be made. A long-term forward planning view must be taken and provision made at least for the period up to 2031. Ensuring land is available for employment and business growth should reduce an element of uncertainty for business. 7. The lake/pond is not a barrier to development and the area was included within the industrial estate employment area within the former Herefordshire Unitary Development Plan. It is not expected that it will be filled in. It has silted up to some extent over time but is still very much a lake/pond. Measures to increase its utility in providing storm water storage will be covered in the revised/updated Drainage and Flood Management Strategy if they are necessary. 8. The intentions of the owner of Rotherwas cemetery are unknown. It has been identified by Herefordshire Archaeology as an asset that should not be developed. That is the purpose of its exclusion from the provisions of the LDO. It comprises an area of gravestones and burials, albeit it in an overgrown state. 9. The majority of the former rail line that runs through the Enterprise Zone now forms part of a City-wide cycle route that enables better access for those seeking to walk or cycle to work. As such it is an important element of the estate. Some development has already been undertaken on other parts of the 	

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	<p>former route. There are currently no proposals to reinstate the route as some form of rail/tram link and its route is not protected through Herefordshire Local Plan Core Strategy. Land does not have to be contiguous with other land included in the LDO to fall within its boundaries. The representation referred to is covered under R.1 above.</p> <p>10. The area where self-seeded trees and scrub has been removed is not covered by a Tree Preservation Order so permission for their removal is not required. There will be a requirement to produce and implement a landscaping scheme to comply with the overall landscape design guidance for Skylon Park.</p> <p>11. The extent of the site concerned compared to the full EZ area is small, but still presents a reasonable opportunity provided any proposal can be shown to fall within Use Class B1 and protect residential amenity. Again provided residential amenity is protected, the effect on the cost to residential property is not a planning consideration.</p>	
R.9 Sports England	<p>The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application. If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place. If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. If the proposal involves the provision of additional housing then it will generate additional demand for sport. In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development will provide opportunities for people to lead healthy lifestyles and create healthy communities.</p> <p>The LDO does not cover proposals that would result in the loss of any sports facility, create any new sports facility, or provide additional housing land. Proposals associated with the development of the Enterprise Zone do promote active travel through measures to increase access through walking and cycling. Conditions 3 and 4 cover measures that businesses should contribute towards estate-wide proposals for active travel.</p>	No change proposed in relation to this representation
R.10 R Norman Dwr Cymru Welsh Water	<p>From our perspective, the specifics on foul/wastewater remain as per the current iteration of the LDO and as such we have no comment to make.</p> <p>Noted with thanks</p>	No change proposed in relation to this representation
R.11 C Telford	<p>Having reviewed your document, I confirm that we have no specific comments to make on it.</p> <p>Noted with thanks</p>	No change proposed in

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Coal Authority		relation to this representation
R.12 H Roberts	<p>The industrial estate has gradually crept towards my property over 10 years. It is a large area and fail to see that the small area of land opposite is of any benefit. The area is needed as a buffer to Wye Valley Reclamation from sight, sound, air and light pollution from this operation. The business is expanding all the time which makes the junction and Fordshill Road very busy and a potential accident zone all day and every day. Further traffic using this road is not sensible. The area is perfect habitat for wildlife and frequented by buzzards, kestrels, crows, magpies, foxes etc. A barn owl regularly quarters the ground and this would result in the loss of its hunting area. There is no reference to this in the environmental report. There are many empty units on Rotherwas Estate and wonder why new buildings are going up when these need bringing back to life. Why new builds on a small area of green right opposite home when there are buildings already sited on the estate with access roads already in place. Fordshill Road is extremely busy with lorries arriving and leaving from 4.00am onwards and staff arriving even earlier. Noise from vehicles, car doors banging, roller doors opening and shutting. Already suffer from light pollution opposite. There are high voltage cables going over the top of the area proposed and no other buildings under these wires elsewhere. Development opposite will devalue our properties. Nobody wants to live opposite a scrapyard and industrial eyesore which will be made worse. No one will want to live here and we will be trapped in the house.</p> <p>Rotherwas Industrial Estate and the Enterprise Zone is filling up and the further land is required to meet the City's needs over the current Core Strategy Plan period up to 2031. There is no intention to remove the use of the land as a buffer between the reclamation business and the LDO would not provide for the extension of this business onto the land as it would not fall within any of the defined uses. It is however accepted that the use of the land concerned should be subject to restrictions beyond that currently indicated in the draft LDO in order to protect residential amenity, in particular restricting it to use class B1. The site is not subject to any specific habitat designation and there is no indication that its development would affect any protected species. As a foraging area it is relatively small and of no greater value than other areas surrounding the City. Notwithstanding the issue of the cap applied because of effect upon the A49 trunk road, the local highway network in the site's vicinity, including its junctions, has sufficient capacity to accommodate the level of development anticipated upon this site. The LDO places a range of design requirements upon developments. Any development would need to address the electricity cables that cross the site.</p>	Restrict area to B1 use and other appropriate conditions that would protect residential amenity.
R.13 A Chada Highways England	The SRN within close proximity to the Hereford Enterprise Zone (HEZ) is the A49 trunk road. We provided initial comments with regard to the proposed HEZ extension in September 2018. It was noted that, due to Herefordshire Council's proposals to include additional expansion zones, the existing caps on total traffic arising from development within the LDO may need to be reconsidered. We identified that consideration could be given to any extant traffic generation associated with elements of previously developed land to be included within the new boundaries of the LDO as well as any further suitable transport measures to be introduced. We concluded that any	No change proposed to the LDO in relation to this representation

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	<p>alteration to traffic caps would need to be supported by suitable evidence. Highways England has reviewed the latest details provided in January 2019 and acknowledges that the proposed extension to the HEZ no longer includes greenfield land to the east. However, no evidence has been provided of any existing traffic associated with brownfield areas that are proposed to be included in the extension. While we do not object to the renewal and extension of the HEZ in principal this must be on the condition that the previous Memorandum of Understanding (MoU) between Highways England and Herefordshire Council is maintained at the agreed traffic caps or evidence provided to demonstrate the acceptability of any changes. We would welcome the submission of further information based on our comments so that we may consider our position on the proposed extension.</p> <p>The current cap placed upon traffic generation and covered by the Memorandum of Understanding will be retained until evidence is provided to Highways England and agreement is reached upon any variation to this. Such variations can be undertaken outside of arrangements for reviewing the LDO through a variation to the Memorandum of Understanding. Work is commencing the gather information that may assist in defining new limits upon traffic generation and this will be shared with Highways England when available.</p>	
R.14 K Greenow on behalf of Lower Bullingham PC	<p>The Parish Council suggest that the 5 hectares of employment land is not developed until the roundabout is in place as part of the Southern Urban Expansion area. Also access via Watery Lane from Holme Lacy Road must not be permitted. Access to and from the employment land must be via the relief road only .</p> <p>The intention is that access to the whole of this area will be from the relief road. Discussions are in hand between the developer and Planning Office about infrastructure to serve this area and other development (primarily housing) and works to provide access and a service road to the employment area. The area shown within the LDO is potentially larger than that required to achieve the 5 hectares and discussions with the developer may result in a smaller area within that defined actually being needed. However, the LDO is not a policy document and defines an area within which B1, B2 and B8 uses might come forward. A planning application will determine whether parts of the area shown will be able to contain alternative uses.</p>	No change proposed to the LDO in relation to this representation
R.15 S Burrage HC Environmental Health	<p>Objects to the expansion of the enterprise zone into the far south eastern corner. Extending the boundary of the Enterprise Zone would mean that heavy industry i.e. B2 use class would be permitted in this area. This is inappropriate and could cause noise and/or nuisance issues for the residential occupants immediately to the south. There is a natural buffer currently in this area separately heavy industry from domestic properties and I am of the opinion that this area should be subject to the usual planning controls including the imposition of conditions restricting the use of potentially noisy plant and equipment at the site as required through the usual planning process</p> <p>It is considered that an appropriate level of protection for residential amenity can be afforded through restricting the use of the site to B1 only and also applying a number of other conditions that would protect residential amenity while enabling a reasonably beneficial use. B2 use would be inappropriate because of its</p>	Restrict area to B1 use and other appropriate conditions that would protect residential amenity.

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	location adjacent to dwellings. Some forms of B8 use might be acceptable upon this site although may require specific design provisions, the detail of which could not be controlled through the LDO and hence should be subject to a planning application	
R.16 Woodland Trust	<p>The Woodland Trust would like to highlight the presence of a veteran wild black poplar recorded on the Ancient Tree Inventory (tree number: 145614, at grid reference: SO5239037676) which is within the proposed Local Development Order boundary. For any subsequent planning application submitted as part of this development, the Trust asks that the veteran tree - and any other trees displaying veteran characteristics – is incorporated into the design, and provided with a root protection area of 15x the diameter or 5m beyond the canopy (whichever is greater) in line with Natural England's Standing Advice and the National Planning Policy Framework.</p> <p>The tree appears to fall within the southern extension area. Its significance as a veteran tree is noted and will be drawn to the attention of any potential developer/business should it eventually fall within the area where businesses are to be located. The actual extent of the employment area within this southern extension has yet to be finalised within a framework for a range of uses including both housing and employment land although from the perspective of the Enterprise Zone, it will be seeking the greatest possible area for the development of businesses that it is able to negotiate.</p>	No change proposed in relation to this representation
R.17 R Palgrave	<p>1. Why not require new buildings to achieve a BREEAM rating of Excellent instead of Very Good? Developers benefit from a streamlined and cheaper planning process, can we not expect buildings with higher energy and water efficiency in return? And why not require all new buildings to be fitted with solar panels?</p> <p>2. How can the cap on vehicle trip numbers be justified when other developments that increase traffic levels on the A49, like the Old Market and ASDA petrol station were not similarly constrained?</p> <p>1. Businesses are able to achieve a higher standard if they wish and to incorporate solar panels. However, it is considered to seek a higher standard will disadvantage the ability to attract business unnecessarily and go beyond what the planning system can legitimately seek.</p> <p>2. The cap relates to the effect of development primarily upon the junction of Holme Lacy Road with the A49 and the other locations quoted have only a marginal effect on this junction. Highways England, as Highway Authority for the A49, has stipulated this as a requirement.</p>	No change proposed in relation to this representation
R.18 Here For Hereford	With new entrants from outside the County to the EZ consisting only of 6 firms at the moment (See Report in <i>Hereford Times</i> 7/2/19) and, to date, only 665 individuals working there, it is clear that the LDO should be extended, as recommended by the Council. Such extension will continue to bestow commercial advantage to new entrants on the EZ. Here for Hereford agrees that such advantage needs to be limited to the period in which the EZ has attracted sufficient development to achieve a defined level of growth. Here for Hereford accepts that the Council chooses to define this level of growth by measuring levels of road-based Development Trip Generation; once the agreed level is exceeded then the normal planning application process will be required for further	No change proposed in relation to this representation

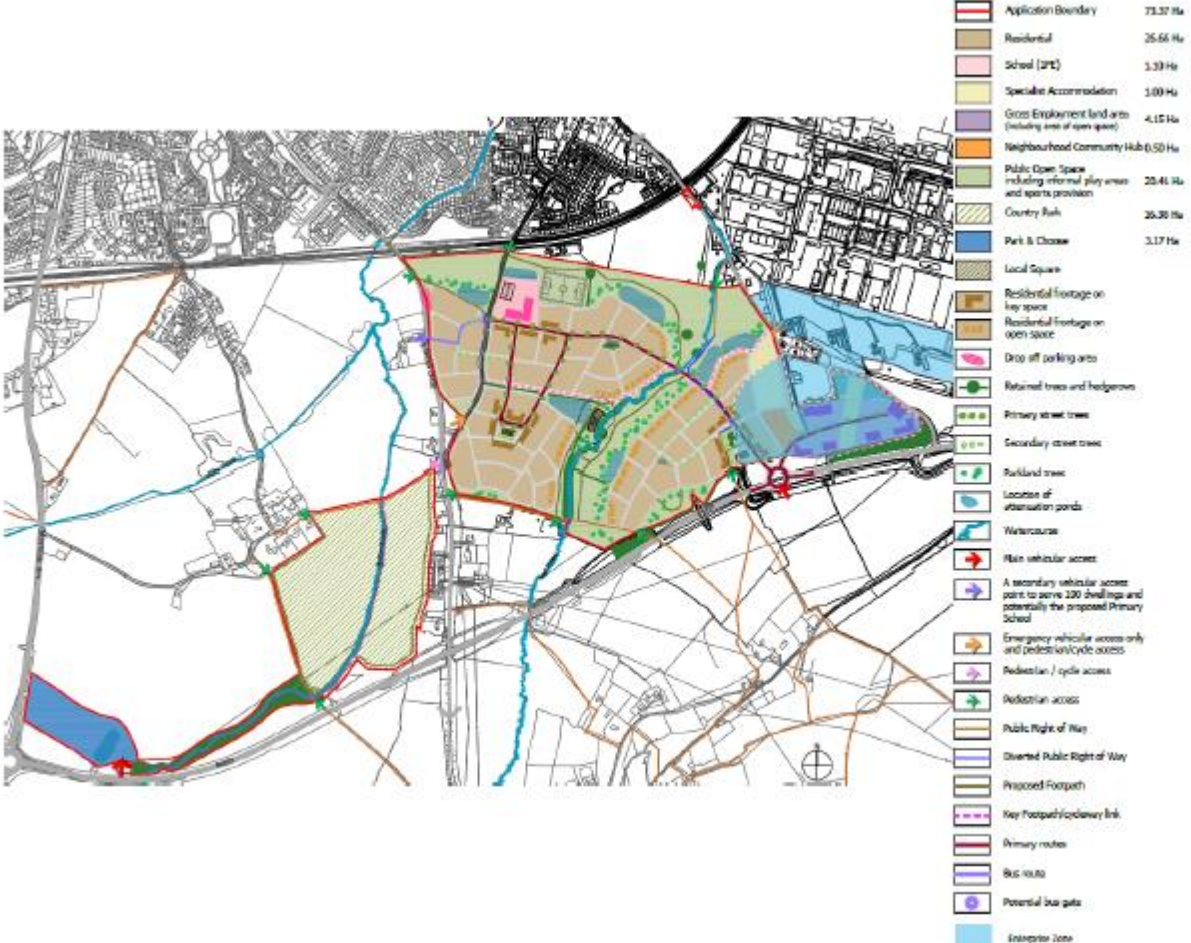
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	<p>development. Continuing a commercial benefit to new entrants after agreed levels of growth have been attained would be unfair. In addition the Council and the County benefit from such growth and it is hoped that such growth at the HEZ will be achieved. Thereafter, as recommended by the Council, new entrants to the HEZ will be required to seek planning permission in the usual way. Travel plans and sustainable construction methods will, of course, be required in any case.</p> <p>These supporting comments are noted. The traffic generation cap is for the purposes of satisfying Highways England that the capacity of the junction of Hoarwithy Road with the A49 is not exceeded. Discussions are being entered into with Highways England about whether additional capacity may be made available.</p>	
R.19 Environment Agency	<p>Flood Risk: Since the creation of Rotherwas Drainage and Flood Management Strategy and the LDO, we have introduced updated climate change guidance (attached). However, for Less Vulnerable Development, such as that on the Enterprise Zone, the climate change requirement for the area is 20% and 25% which means that floor levels would not need revisiting for the existing strategy or the proposed expansion including flood risk reduction where possible.</p> <p>1. The impact of the proposed 'expansion area' (East) and is partially within Flood Zone 3, the high risk zone, and any development on the site would potentially increase flood risk to third parties. We would therefore expect revisions to the Flood Management Strategy to consider this plot and the need for additional compensatory storage to offset this expansion. With regard to Condition 8 of the LDO reference is made to revisions/modifications to this Flood Strategy and again within section 3 of the LDO (reasons for conditions) which states that further work has been undertaken to update the (flood) Strategy and develop further measures that may be necessary. From recent discussions with your Council we understand that this is the case and we would welcome the opportunity to discuss this to ensure new plots are designed to be similarly safe without increasing flood risk to the third parties or impacting on the flooding regime in the area. We would not wish to see this site developed, or the land raised to accommodate the development, until the impacts of doing so are understood and mitigated.</p> <p>2. We are aware of a significant development on the Lower Bullingham site, to the immediate south of the Enterprise Zone. This is a strategic site in your Core Strategy and considered a viable option for strategic flood risk management which may benefit the Enterprise Zone. It is understood that modelling work is being undertaken for both the Enterprise Zone and the Lower Bullingham site and any potential interaction that may provide flood risk benefits should be considered.</p> <p>1. Consultants have been preparing revisions to the Drainage and Flood Management Strategy and a meeting was held with representatives of the Environment Agency in May 2019 to present the revised assessment work and explain the approach to revising the strategy. It was agreed that when complete this would be forwarded to the Environment Agency but the meeting raised no objections to the basis for the approach proposed. The</p>	A minor change to indicate to developers that HC (through the EZ office) will provide the most up-to-date flooding and drainage details is added through reference to s footnote

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	<p>strategy would include more detailed site specific measures. The measures would ensure there would be no increased risk of flooding to third parties. The revisions to the strategy would be completed by the end of June although there was sufficient information and advice available to inform the development of proposals that were currently in the pipeline. Start of any works was not expected before the revised strategy was agreed and available. With regard to the LDO the current conditions related to flooding were considered satisfactory and sufficient to cover the expected revisions and any further such changes if required.</p> <p>2. The expansion area proposed by the LDO in the south was not within or close to the area at risk of flooding. The exact area has yet to be finalised and this is expected to be agreed with the developer of the housing area. A comprehensive drainage proposal for the wider site is expected. The employment land's inclusion is to promote schemes of similar quality to that within the initial LDO area.</p>	
	<p>Land Contaminated: Contaminated land issues can also be potential costly and time consuming matters. On this basis it would also be advantageous, as previously stated, to address these issues upfront and in a strategic/holistic way rather than piecemeal manner. Piecemeal investigation/remediation may prove to be ineffective if significant or larger scale contaminated issues are identified, particularly if the development is phased through time. To inform the LDO we would recommend that the scale and nature of any contamination is established i.e. known potential or identified previous contaminative use. Once a desk top study/preliminary risk assessment has been produced, a Site Investigation (SI) and remediation works may need to be undertaken. These requirements could form part of planning conditions but there may be complications if the SI and any remediation needs to be implemented strategically i.e. across the phase as a whole. On Page 15 (of the main document) it is stated that <i>'Herefordshire Council will review from time to time the need to investigate whether contamination is present and if there is a need for a strategic approach to addressing its presence that would benefit the release of land within the area covered by the LDO. The Council will advise those utilising this LDO whether such work has been undertaken that might affect their site'</i>. This would suggest that the implications and complications with a piecemeal approach has been recognised and that such issues should be addressed up front. Given the potential for pre-existing land contamination issues, foundation design will need to address such aspects. <u>A foundation works risk assessment should be submitted with any proposals</u>, so it can be demonstrated that the works will not enhance the extent or migration of any contamination. Any sustainable urban drainage systems should be designed with regard to land contamination and the potential for mobilisation of contaminants. It is also necessary to ensure appropriate pollution prevention measures are adopted to ensure that any 'new inputs' are indiscernible. Appropriate consideration of the above aspects is essential as there are a number of private water supplies in the area and the underlying superficial deposits will provide base flow to the River Wye SSSI/SAC). We would also recommend consultation with your Environmental Health (Public Protection) section.</p>	No change proposed in relation to this representation
	<p><u>A strategic approach to addressing contamination across the whole or substantial part of the EZ would be a very positive approach and efforts will be made to develop such an approach. However, given that land is in different</u></p>	

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	ownership, provision needs to be made for development to proceed independently and it is still considered that the application of appropriate conditions to allow this would address the issue in a satisfactory way. Condition 12 is an acknowledgement that contamination is a potential issue and sets out the process that needs to be followed to address this. It requires an appropriate remediation strategy to address the contamination, to be approved by the LPA and this must consider risk in relation to all receptors, so this will cover any private water supplies present. Should it not be possible to address contamination issues that may arise upon any site submitted through the LDO process then the condition could not be complied with and development could not proceed.	
	<p>Water Quality: Section 3.18 refers to the potential impacts of the continued development of the Enterprise Zone on wastewater drainage and water quality. As stated in the document the site lies immediately adjacent to the River Wye which, as stated above, is designated as a SAC. Previous modelling by the Environment Agency confirmed that the proposed level of growth could be delivered without breaching the conservation objectives for the Wye SAC. Whilst it is not envisaged that the modest expansion of the Enterprise Zone would compromise this target, and we would raise no objections, further ongoing consideration of the impact on the Wye should be maintained. It is noted that the current wastewater conversion anticipates that development of the Enterprise Zone would equate to 520 dwellings whereas this was previously 714. We also note that 'where it is not possible to conclude that there will be no likely significant effect on the River Wye SAC then the Local Planning Authority would exclude development through Part E.d of the Local Development Order. As stated in the associated Environmental Report the information within the LDO is based upon data provided by both the Environment Agency and Welsh Water in 2012. Further consideration of these targets is likely to be required as evidence to inform future strategic planning work within Herefordshire, including the forthcoming Hereford Area Plan (HAP) and Mineral and Waste DPD, and should headroom capacity change this will need to be considered in development, or phasing, of the Enterprise Zone. The Environment Agency, along with Welsh Water and Natural England, form part of the Nutrient Management Plan Board which allows ongoing discussion around the management of the Wye SAC and any mitigation measures to address phosphate and water quality issues.</p>	No change proposed in relation to this representation
	Advice noted with thanks	
R.20 D Roberts	Fordshill Road is a very busy road traffic wise, carrying traffic of all descriptions to (sigoric?) Estate as well as to Wye valley Demolition and all its many works under that name, so there would be many difficulties for vehicles wanting to service the proposed businesses if this new proposal is carried out. No doubt you are aware of the MEB Power line crossing this particular field. You will also be aware that the bungalows on the opposite side of the B4399 will be greatly devalued. I understand from the Hereford Times you are having difficulty finding takers for the very nice development opposite the filling station on the straight mile. I am not in favour of the proposed development. A few years ago housing development was refused on this field.	Restrict area to B1 use and other appropriate conditions that would protect residential

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	Notwithstanding the issue of the cap applied because of effect upon the A49 trunk road, the local highway network in the site's vicinity, including its junctions, has sufficient capacity to accommodate the level of development anticipated upon this site. Any development would need to address the electricity cables that cross the site should this be required. Rotherwas Industrial Estate and the Enterprise Zone is filling up and the further land is required to meet the City's needs over the current Core Strategy Plan period up to 2031. The land provides a buffer between the reclamation business and houses on the south side of the Hoarwithy Road and this function can be retained even should some development take place. However, it is agreed that restrictions to ensure any development on this site does not itself affect the residential amenity of those properties. It is accepted that the use of the land concerned should be subject to restrictions beyond that currently indicated in the draft LDO in order to protect residential amenity, in particular restricting it to use class B1. It would not be appropriate to use the site for housing given proximity to the business operation to the north.	amenity.
R.21 Canal and Rivers Trust	No comment Noted	No change proposed in relation to this representation
R.22 Bloor Homes	Bloor Homes are the future applicants of a soon to be submitted planning application for a mixed use urban extension of land at Lower Bullingham - known as the 'Southern Urban Expansion' in the adopted Herefordshire Local Plan - Core Strategy - to provide amongst other things residential development, B1, B2 and B8 employment uses, a Neighbourhood Community Hub and a new primary school. This Representation, whilst acknowledging the importance of the Hereford Enterprise Zone as an important catalyst for economic generation throughout the Marshes, recommends that a subsection of the additional area brought forward within the Herefordshire Local Plan strategy should be removed due to its importance to the Southern Urban Expansion. It is recognised that the Enterprise Zone will provide new employment workspace committed through the Local Development Order (LDO); providing both highly skilled jobs and encouraging further investment into the area. It is further acknowledged that the LDO will reduce the cost to developers and promote employment generation of the area through avoiding the need for individual planning applications to be made where proposals are in line with the Enterprise Zone, whilst also removing Section 106 obligations and future CIL requirements. However, a small portion of the Enterprise Zone (as highlighted in the map below) actually forms part of the strategic allocation/masterplan for the Southern Urban Expansion of Lower Bullingham (set out in Policy HD6 of the Hereford Local Plan Core Strategy). This proposed development for the Southern Urban Expansion site has been brought forward as part of an extensive consultation process with Herefordshire Council over the past 5 years and is set to deliver a comprehensively planned sustainable urban expansion in line with the requirements of the Local Plan policy. The piece of land in question will provide affordable housing, a neighbourhood centre, public open space and significantly development that will frame the entrance to this new strategic development. The loss of this land as a result would	No change proposed in relation to this representation

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	<p>have significant implications for the design and deliverability of the scheme and its viability going forward. As I'm sure will be acknowledged the delivery of this significant strategic urban extension plays a fundamental role in the delivery of the aims and objectives underlying the Local Plan.</p> <p>It is therefore recommended that the small section of the Herefordshire Enterprise Zone should be removed to ensure the effective delivery of a strategically important site.</p>	

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	 <p>The LDO is not a policy document but the grant of planning permission. The inclusion of the whole of the area indicated in the LDO in this location does not, of itself, mean that parts of it cannot be developed in a different way through the submission of a successful planning application. If necessary, should a revised arrangement be</p>	

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	agreed with the local planning authority, and it would serve a useful purpose, the LDO might be revised to take such changes into account. A review of the LDO is envisaged within 5 years of its adoption in any event.	
R.23 Hereford Civic Trust	<p>In general Hereford Civic Society is content with the proposed extension of the LDO applying to the HEZ. However we would urge development to:</p> <p>1) Meet the highest standards of resource (energy, materials and water) efficiency in new buildings. We would suggest BREEAM 'Excellent' at minimum rating. Reason: To promote higher standards in design and resource use which ultimately meet the needs of a zero carbon future by 2030 at the latest</p> <p>2) Provide for a fully integrated public and active transport system which prioritises non car travel choice for employers between the HEZ and residential and retail areas. Reasons: To ensure a pleasant working environment with first class active and public transport links to residential and retail areas in the city. To ensure the cap relating to vehicle trip generation affecting especially Holme Lacy Road and the A49 is adhered to.</p> <p>3) Keep to a defined level of growth that is contained within sustainable environmental parameters and pre-agreed geographical limits. Reason: To ensure the scale of development is proportional to need and location</p> <p>4) Favours high rather than low skill companies and actively discourages warehouse/distribution centre type operations. Reasons: So that there is a sector within Herefordshire's economy that is relatively high wage. For the avoidance of generating large volumes of vehicle movements.</p> <p>5) Enhance and not compromise the setting or survival of the remaining structures of the wartime munitions factory or of Rotherwas Chapel, a property in care of English Heritage. Reason: To protect the interests of built heritage and the quiet enjoyment of historic amenity.</p> <p>6) Protect archaeological sites, mindful of the finding of the 'Rotherwas Ribbon' and associated prehistoric remains nearby. Reason: To strengthen protection for the heritage and archaeological sites in the area of the HEZ to ensure these are adequately preserved.</p> <p>7) Be appropriately informed by direction contained within the Design Code SPD (currently in draft). Reason: To ensure the standard of architecture on the site is improved.</p> <p>8) Support the development of NMiTE or similar university for Hereford for open and non-military research and education. Reason: To recognise that, in lieu of S106 contributions, companies benefiting from development at the HEZ, contribute appropriately to wider social and environmental costs in the interests of transparency and peace.</p> <p>9) Allow for a bridge crossing the R Wye on the line of the Rotherwas Access Road. Reason: To ensure that should a crossing be required here in the future to link the HEZ with the N side of the Wye, it can be built.</p> <p>1. It is considered to seek a higher standard will disadvantage the ability to attract business unnecessarily and go beyond what the planning system can legitimately seek.</p> <p>2. The comment is noted as a worthy objective and works have already been undertaken to increase accessibility through the provision of a dedicated cycle path. However, it is a transport policy issue relating</p>	No change proposed in relation to this representation

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	<p>to the public realm rather than site specific matter that the LDO covers. It is one that should be pursued more appropriately through the LTP.</p> <p>3. Geographical and capacity limits will generally be set through Hereford Area Plan. That plan will be subject to a sustainability/environmental appraisal.</p> <p>4. Noted. Although an objective has been set through Herefordshire Local Plan Core Strategy and EZ objectives in terms of the types of operations sought which aims to seek skilled employment, a mixture of uses will provide for a range of skills.</p> <p>5. Protection is afforded to the setting of Rotherwas House which sits between the Chapel and the EZ. A Conservation Management Plan has been prepared for the EZ area which identifies the approach to be taken to key heritage assets within or adjacent to the EZ area.</p> <p>6. Specific protection has been afforded to the 'Rotherwas Ribbon' in accordance with advice from Herefordshire Council's Archaeological Adviser. Again the Conservation Management Plan has addressed other heritage asset issues.</p> <p>7. Hereford Design Guide does not cover Rotherwas Industrial Estate or the EZ area. A specific design guide has been prepared for the EZ and this is covered through LDO paras 3.12 and 3.13.</p> <p>8. Support for NMiTE is noted and welcome. However, the LDO covers employment uses falling within use classes B1, B2 and B8 as per Herefordshire Local Plan Core Strategy policy for the area.</p> <p>9. This is a policy matter and the LDO is not a policy tool that can be used for that purpose. This would need to be considered through the Local Plan mechanism.</p>	
R.24 Natural England	<p>We understand that the area to be covered has increased. It is not clear from the documents how the original order and revised order compare in terms of phosphate and though it is stated that the revised order is still within the phosphate headroom, it should be made clearer why this is still the case.</p> <p>Notwithstanding the above, your authority should be aware of a Ruling made recently by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C-323/17). The case relates to the treatment of mitigation measures at the screening stage of a HRA when deciding whether an appropriate assessment of a plan/project is required. Competent authorities currently making HRAs should be mindful of this case and should seek their own legal advice on any implications of this recent ruling for their decisions.</p> <p>The Environmental Report covers the issue of phosphate headroom through calculating the dwelling equivalent waste water generation in accordance with Dwr Cymru/ Welsh Water's advice. This was the approach used in the previous iteration of the LDO. Experience gained over the initial 4-years of the LDO's operation is that the density of development is less than initially envisaged and therefore the level of 'dwelling equivalent' is less than was originally envisaged, despite the small extension. The LDO is the final permission and not a proposal</p>	No change proposed in relation to this representation

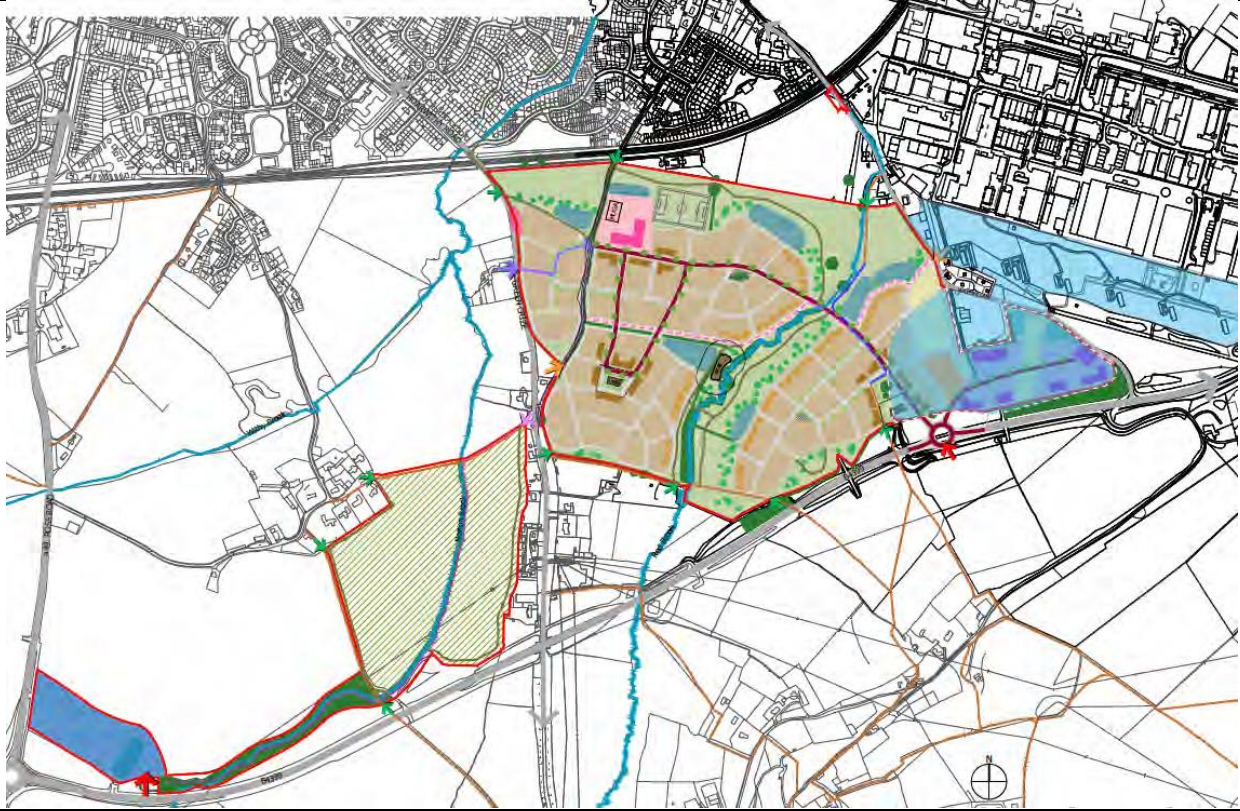
Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	before mitigation is considered. The Environmental report contains an AA rather than HRA. The approach to the AA is consistent with the AA undertaken for the original LDO.	
R.25 S Davies Associates on Behalf of NMI TE	<p>NMI TE has ambitious plans to deliver teaching space within the Enterprise Zone at Rotherwas. A key objective noted in the LDO is the creation of highly skilled jobs and encouragement of investment, together with an aspiration to develop a centre of excellence for the defence and security sector and other technologies (LDO para. 1.2). It is evident that a core purpose and objective of the LDO is to encourage investment and economic growth alongside job retention and creation. NMI TE is wholly supportive of this objective and consider that such incentives committed through the LDO are fundamental to promoting economic growth and reducing uncertainty for investment in the city and region. We would, however, comment that, in the current context of national and local skills shortages for highly skilled jobs in technology and engineering, there is a missed opportunity to promote skills development through the currently drafted LDO that will in turn translates into a missed opportunity in terms of job creation, talent retention and attract business investment to Hereford. Engineering is a critical part of the UK economy through the sector's direct contributions to UK turnover and employment and the 'multiplier' effect it generates. Jobs in engineering are wide ranging, comprising manufacturing, construction, infrastructure, information and communications as well as professional, services, scientific and technical activities. Critical to the model will be partnerships with employers and organisations that have the need for a practically skilled workforce. This will have benefits for both students, who will live and contribute to the local economy in Hereford, and employers as follows. Importantly, the provision of a world-class institution will put Hereford 'on the map' at an international level and NMI TE is already talking to large multi-national employers about partnership opportunities and the university will act as a catalyst to encourage international business to invest in the city. This is directly relevant in the context of the LDO, which encourages investment from overseas. NMI TE is, therefore, keen to ensure that defined employment floorspace within the city has the flexibility to facilitate an education or teaching space that encourages this symbiosis. In light of the current consultation opportunity on the Hereford LDO, this representation seeks additional changes to be made to the LDO to reflect NMI TE's growth potential and the mutual benefits that this offers for skills development and job creation. As such, we request that the LDO is updated further to reflect this changing education context and emerging industry requirements. The LDO should allow flexibility for NMI TE to achieve the aims and objectives of this new university, which includes partnership with employers as a fundamental pillar for the new model of teaching. The approach will have wide ranging benefits for not only the Enterprise Zone but also Hereford's role in the economy of the region. The LDO should be updated to reflect the new higher education provision coming forward in Hereford over the next 5 years. We consider that it is important for the LDO to acknowledge the opportunity through changes that focus on business investment but also ensure appropriate provision of facilities for a higher education institution that will have a fundamental economic impact on the region. The economic benefits resulting from the development of a highly skilled, local workforce with strong work experience relate directly to the objectives of the LDO, which promotes</p>	Changes are proposed in line with subsequent discussions and the most recent representation with additional associated changes which are necessary as a consequence.

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	<p>job creation and business investment. In particular, the LDO aspires to create a centre of excellence for the defence and security sector with additional employment hubs focussed on advanced technologies, environmental technologies and food and drink technologies, all of which require specialised engineering and technology knowledge and skills. In the context of the higher education ‘cold-spot’ in Herefordshire, it will be a challenge to ensure that Herefordshire labour market can match the growth of the Enterprise Zone without the right educational pathways to encourage young people in Hereford or from elsewhere to move or stay in Herefordshire to realise their true potential. Specifically, we seek revisions to the LDO to allow for an element of D1 use class that will provide greater flexibility for NMiTE’s employer partners to offer premises that can accommodate the university’s activities over the next 5 years. This will allow for the university to achieve its learning and economic objectives without the risk of planning delay and uncertainty, providing greater choice in location for business and education investment to align within the new university model. NMiTE has the support of the Council and LEP and view this consultation as an opportunity for collaboration with Herefordshire Council’s Planning team to explore the exciting ways that this new model will benefit the city at a strategic level. We would therefore welcome a meeting to discuss and review how the specific wording of the LDO can be amended to provide mutual benefits for NMiTE, the Council and future employers. Our initial thoughts are set out below, however, we would welcome a further discussion to review the overall approach within the LDO.</p> <p>1. The Local Development Order (LDO) should be amended and updated to reflect the emerging higher education context for Hereford, which incorporates a new university being established by NMiTE. Specifically, we request that the LDO allows for an element of D1 Use Classes to be permitted;</p> <p>2. A meeting is requested to discuss the specific implications for the wording and objectives of the LDO.</p> <p><u>Following discussions that were held in response to this representation the following changes were submitted to the Council by NMiTE’s agent for consideration:</u></p> <p>Mindful of the NPPF and the above PAS guidance, but recognising the concerns raised with respect to the unintended consequences of including development falling within Use Class D1 within the LDO, we discussed more specific amendments to the LDO. These more tailored amendments would address the concerns raised and would also ensure that university development complementing the employment uses within the Enterprise Zone are actively supported. The following changes include:</p> <p>1) Making specific reference to the consented uses falling within Use Class D1 (i.e. allowing development falling within Use Class D1 – ‘Non-residential institutions’ – (c) ‘for the provision of education’ (see extract of The Town and Country Planning (Use Classes) Order 1987 (as amended) attached);</p> <p>2) Making specific reference to only part of the Enterprise Zone where Use Class D1(c) would be</p>	

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	<p>acceptable. This could be highlighted as a specific area/zone within the LDO and the wording of the LDO amended accordingly (see extract of suggested plan and suggested amended wording below). This would ensure that the delivery of floorspace for the provision of education is clearly only ancillary and complementary to the main aim of the Enterprise Zone to deliver new employment workspace. This approach has been successfully employed by Harlow Council in the preparation of the London Road North Local Development Order (July 2013) (example attached for reference);</p> <p>3) Including specific reference within the LDO document within Chapter 1 'Background and Purpose' and Chapter 3 'Statement of Reasons' to the delivery of the new university within the city and referring to the role the Enterprise Zone can play in supporting its success. In particular, the draft Hereford Area Plan Issues and Options Consultation (April 2017) set out that the delivery of <i>"a laboratory and workshop space at the Rotherwas Enterprise Zone is key to achieving collaboration with industry and achieving real world experience for students"</i> (paragraph 9.29). Employing similar wording within all planning documents (reflecting the content of paragraphs 9.22 – 9.30 of the draft Hereford Area Plan) will demonstrate the Council's consistent support for the delivery of the university within the city.</p> <p>The suggested amendments to the wording of the LDO are emboldened below. We consider that the change to allow for ancillary D1(c) within a specified part of the Enterprise Zone use within the LDO continues to meet the objectives for economic growth and can be achieved without amendment to the environmental parameters.</p> <p><i>"2 Hereford Local Development Order (Hereford LDO)</i> <i>Development comprising the erection of buildings, related external plant, machinery or apparatus, provision of access to and use of land falling within Classes B1, B2 and B8 of the Use Classes Order 1987 on land within the Hereford Enterprise Zone LDO area (see land outlined and edged in red at Appendix A) is permitted..."</i> <i>Development comprising the erection of buildings, related external plant, machinery or apparatus, provision of access to and use of land falling within Classes B1, B2, and B8 and D1c of the Use Classes Order 1987 on land within the Hereford Enterprise Zone LDO area (see land outlined and edged hatched in red blue at Appendix A) is permitted..."</i></p> <p><i>"3.9 The LDO provides for the following:</i></p> <ul style="list-style-type: none"> <i>• Granting developers planning permission subject to conditions for development within Classes B1, B2 and B8 of the Use Classes Order 1987 (as amended) within the defined LDO area outlined in red (Appendix A) where proposals comply with the principles for Hereford Enterprise Zone. This includes offices (not falling within Class A2), research and development, light industry, general industrial</i> 	

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	<p><i>processes and storage and distribution uses;</i></p> <ul style="list-style-type: none"> • <i>Granting developers planning permission subject to conditions for development within Classes B1, B2, and B8 and D1c of the Use Classes Order 1987 (as amended) within the defined LDO area hatched in blue (Appendix A) where proposals comply with the principles for Hereford Enterprise Zone. This includes offices (not falling within Class A2), research and development (including university premises, teaching laboratory space for engineering research and development), light industry, general industrial processes and storage and distribution uses.</i> • <i>Removing the need to submit some information in relation to statutory environment provisions, flood and transport impact assessments in that these have been carried out for developments complying with the provisions of the LDO;</i> • <i>Withdrawing the need to contribute towards necessary infrastructure set out within the Planning Obligations Supplementary Planning Document;</i> • <i>Withdrawing the requirement to pay for pre-application advice for proposals complying with the LDO”.</i> <p>The NMiTE proposal is extremely important to Hereford and its wider economy. This importance is recognised and supported by both the Council and the EZ Board and every assistance will be given to the proposal that will bring these wider benefits, including partnership links with businesses on Rotherwas Industrial Estate and within its EZ/LDO area. Land use policy for Rotherwas Industrial Estate (and that part that comprises Hereford Enterprise Zone LDO Area) is set primarily through Herefordshire Local Plan Core Strategy Policy HD7 and expanded upon through Core Strategy paragraph 4.2.97. This refers specifically to B1, B2 and B8 development.</p> <p>The initial representation was to enable Use Class D1 Non-residential institutions across the EZ, which comprises clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court, non-residential education and training centres. Although there may be uses currently falling within Use Class D1 that could be accommodated within the Enterprise Zone (HARC being an example of this), a change to enable D1 uses more generally and widely within the LDO area would potentially be to the detriment of the intended use of the industrial estate and also those businesses currently within it. It may, in fact, deter some businesses, especially where significant traffic is generated at particular times of day or where uses might be considered to cause a nuisance to D1 occupiers. To include D1 uses would be a major change to the planning policy for the area, potentially requiring a further more detailed consultation and more detailed Appropriate Assessment in view of different levels of water use/waste water generation.</p>	

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	The subsequent representations suggest limits both to the area to be covered and restriction to a particular category within Use Class D1 to sub-class (c). An example of where an adopted LDO has included granted permission within sub-categories of a specific Use Class was provided. Within the context of the Council's support for NMITE and more specifically its related on-site engineering training at Rotherwas, the suggested changes are supported as consistent with the objective set out within Herefordshire Local Plan Core Strategy and the intentions of the Enterprise Zone to create highly skilled local jobs. Additional consequent changes will however be necessary for clarity as a consequence of this and other changes resulting from representations.	
R.26 Cadent Gas	<p>Thank you for consulting Cadent Gas on the Herefordshire Enterprise Zone LDO. Cadent has low pressure and medium pressure assets located within the Order boundary and would advise on the grounds of safety that any proposed development plans are submitted to plantprotection@cadentgas.com prior to works. (Locations provided on google earth base).</p> <p>The information is helpful for the purposes of HEZ Office. In advising potential businesses about the location of gas supplies. This would not affect the content of the LDO.</p>	No change proposed in relation to this representation
R.27 Ridge Property and Construction Consultants on behalf of Bloor Homes	<p>Recommends that a subsection of the additional area brought forward within the Herefordshire Local Plan strategy should be removed due to its importance to the Southern Urban Expansion. A small portion of the Enterprise Zone (as highlighted in the map provided) actually forms part of the strategic allocation/masterplan for the Southern Urban Expansion of Lower Bullingham (set out in Policy HD6 of the Hereford Local Plan Core Strategy). This proposed development for the Southern Urban Expansion site has been brought forward as part of an extensive consultation process with Herefordshire Council over the past 5 years and is set to deliver a comprehensively planned sustainable urban expansion in line with the requirements of the Local Plan policy. The piece of land in question will provide affordable housing, a neighbourhood centre, public open space and significantly development that will frame the entrance to this new strategic development. The loss of this land as a result would have significant implications for the design and deliverability of the scheme and its viability going forward. The delivery of this significant strategic urban extension plays a fundamental role in the delivery of the aims and objectives underlying the Local Plan. It is therefore recommended that the small section of the Herefordshire Enterprise Zone should be removed to ensure the effective delivery of a strategically important site.</p>	No change proposed in relation to this representation

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	 <p data-bbox="376 1102 1626 1257">The LDO is not a policy document but the grant of planning permission. The inclusion of the whole of the area indicated in the LDO in this location does not, of itself, mean that parts of it cannot be developed in a different way through the submission of a successful planning application. If necessary, should a revised arrangement be agreed with the local planning authority, and it would serve a useful purpose, the LDO might be revised to take such changes into account. A review of the LDO is envisaged within 5 years of its adoption in any event.</p>	
R.29 R Pryce	<p data-bbox="376 1267 1626 1385">This concerns the proposed Rotherwas House Green Space Buffer – Section E (f) of the LDO. We have just been instructed to progress a masterplan for a phased development of land north of Woodstock Trading but the current version of the LDO significantly limits the potential development area. I appreciate this buffer has been introduced for heritage reasons but consider the setting of the designated heritage assets could still be safeguarded with a</p>	<p data-bbox="1648 1267 1834 1374">No change proposed to the LDO provisions in relation to this</p>

Respondent Identification Number	Suggested Changes Herefordshire Council Consideration (In blue)	Response
	<p>new planting buffer and protected zone north of the current LDO boundary. The detail of this could be worked up in consultation with Historic England and the Council's historic building officers and could comprise a combination of planting and green space. This would also create a new biodiversity feature linking with the existing woodland strip running northward to the River Wye. I attach the LDO plan where I have marked up the suggested change. Apologies this is rather crude but as we have only just been appointed we have not yet had time to commence work on a masterplan. Our proposal will also include the use of the existing pond as a SUDS feature which may mean this needs to be re-profiled and it's not clear if the current version of the LDO would permit this and therefore we request this existing pond be removed from the proposed protected green space buffer.</p> <p>Given the sensitivities, and the need to consult Historic England in relation to detailed heritage issues that would be expected to require a Heritage Impact Assessment it cannot be assumed that planning permission would be granted within the identified buffer. The buffer was introduced into the original LDO to protect the nationally significant heritage assets at and around Rotherwas House/Chapel, in particular their 'settings'. Even should development be possible within the area identified, it may well require measures that cannot be controlled through the LDO because they are too detailed and site specific.</p> <p>It is considered that whether the site may be developed is a matter that should be determined through the mechanism of a planning application. However, the area, together with others having the same provisions within the LDO fall within the EZ LDO area and other benefits should of being in the EZ should apply.</p>	<p>representation but it be explained in para 3.23 that the other EZ benefits would apply should planning permission be obtained.</p>