

7 DCSE2007/0181/O - ERECTION OF OFFICES (B1) 1858 SQ METRES (NET LETTABLE), 2137 SQ METRES GROSS WITH 86 CAR PARKING SPACES AT BP NORTHBOUND, ROSS SPUR, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7QQ.

For: RL (UK) Ltd, per Blencowe Associates, Old Parish Barn, Sandford St. Martin, Oxfordshire, OX7 7AG.

Date Received: 22nd January, 2007 Wards: Ross-on-Wye East Grid Ref: 61062, 25736
Expiry Date: 23rd April, 2007 Old Gore
Local Members: Councillors T.M.R. McLean, A.E. Gray, and P.G.H. Cutter

The Sub-Committee decided not to determine this application on 29th May, 2007 in order to visit the site. The site visit took place on 7th June, 2007.

1. Site Description and Proposal

- 1.1 The site to which this application relates is to the east of Ross Labels car park (the former BP petrol filling station) and is bounded to the north by a tree-lined stream and to the south by the A449(T) dual carriageway. It is roughly triangular in shape, widest at the western end and tapering to the east.
- 1.2 It is proposed to erect a 2-storey 'L' shaped office block. Details of the building are reserved for later approval but a sketch scheme shows a flat roofed building with a strong horizontal emphasis. This contrasts with the original submission which was partly 3-storied with hipped roofs. As submitted the floor plans show two rectangular buildings linked by the central core building with entrance, staircase, lifts and services. In relation to the dual carriageway, the 'L' would be upside down, presenting the narrowest elevation (about 16m wide). The office block would extend about 51m to the north, with the return elevation a total of about 31m long. The external materials are to be agreed later.
- 1.3 In total this would provide 1858 net office space. 86 car parking spaces would be provided to the east of the office building, a reduction of 20 in response to concerns expressed from the Traffic Manager. Access (ingress) would be off the A449(T) but all vehicles leaving the site would travel via the service road to the north of Ross Labels, Netherton Road and the A40/A449 roundabout. The extreme eastern tip of the site would be extensively planted with trees, the existing trees and hedgerow along the stream would be planted more densely and new planting areas would be provided within the car parking area and the roadside planting retained.
- 1.4 This proposed development is a revised scheme from that submitted as part of application DCSE2006/3633/F. The office block was withdrawn from that proposal however before being reported to Committee and was not therefore part of the refused scheme. An alternative proposal to the retail warehouses (a B8 storage unit DCSE2007/0534/F) is the subject of a separate report to the Committee but is not shown on the layout plan and no reference is made to a linkage between the schemes.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007

Policy S1	-	Sustainable Development
Policy S4	-	Employment
Policy S6	-	Transport
Policy E3	-	Confirmed Local Plan Employment Land Allocations
Policy E8	-	Development of Redundant Rural Buildings
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy LA3	-	Setting of Settlements
Policy DR1	-	Design
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T8	-	Road Hierarchy
Policy T11	-	Parking Provision

3. Planning History

3.1	DCSE2006/2631/F	Erection of office (B1), retail warehousing and replacement roadside restaurant (A3/A5)	-	Withdrawn 9.11.06
	DCSE2006/3633/F	Erection of retail warehousing and a replacement roadside restaurant (A3/A5).	-	Refused 24.1.07

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency has received and considered the Transport Assessment provided by Scott Wilson. The information has been assessed and I have agreed that the best way forward to provide mitigation for the development traffic will be a Travel Plan. The Agency directs that a condition requiring submission of travel plan be included in any planning permission that the planning authority may grant.
- 4.2 Welsh Water request that conditions relating to drainage be imposed.

Internal Council Advice

4.3 Conservation Manager comments:

"I had previously raised concerns that the office building was over-scaled in relation to this particular site. With regard to this revised proposal, the omission of the three-storey element on the north wing does help to reduce the visual impact of the office block and I agree that the 'layered' emphasis of the design also assists in reducing impact.

I do have concerns about the quality of the design of the office building. I appreciate that this is an outline application and furthermore, the main aim of the submission is to demonstrate that the overall volume of the building has been reduced. However, the

resulting design lacks cohesion and the north and south elevations in particular, are rather inelegant in terms of balance and proportion. In my view the standard of architectural design would need to be improved significantly in order for the office building to be acceptable, and to comply with policy LA1: Areas of Outstanding Natural Beauty and the development criteria set out in policy DR1: Design, in the Unitary Development Plan. This is particularly relevant given that the site falls within an Area of Outstanding Natural Beauty and that it forms part of the setting of Ross-on-Wye.

I maintain my view that from a landscape perspective, the application for the office block should not be considered in isolation from the other proposed development on the site. I remain concerned that if planning permission were not granted for the proposed storage unit, the proposed office block would appear quite isolated, and more prominent on the site. Should the storage unit not be permitted, then the siting and form of the office block may need to be reconsidered.”

4.4 Traffic Manager advises as follows:

- Parking for a development of this size should be 86 spaces. The provision of 106 spaces will undermine sustainable initiatives and must be resisted.
- 19 cycle parking spaces are required in accordance with the Design Guide.
- Parking provision for at least one HGV must be provided in accordance with the Design Guide. The office proposal requires a travel plan.
- The accident data confirms that vulnerable road users are at risk at the roundabout, with 2 accidents involving cyclists and one involving a pedestrian. There are no identified measures to improve the roundabout to assist vulnerable users.
- One of the bus services noted, (no. 36) which serves the site directly is being withdrawn due to lack of patronage.
- The site could be adequately served by service no.32, which is hourly. This would require the provision of stops at the pull-in from the A449. Contributions to the running of this service may be required to ensure that any additional time/buses required to access the site are accounted for, to be delivered by S106.
- The "established walking and cycling route" via Brampton Road is of a poor standard, with rough steps, no footway on Brampton Road and a long section of unsurfaced footpath, unlit and overgrown, and is not overlooked from the road plus other disincentives to users. This route requires considerable upgrading if it is to be considered appropriate as a walking/cycling route for general access to and from the site, and proposals are required from the developer accordingly.

Recommend refusal on grounds of unsustainability.

4.5 Head of Economic and Community Services in principle supports this application based upon a number of economic benefits:

1. B1 use has the potential to attract more and higher paid jobs than B2 or B8 use.
2. Herefordshire Council's Economic Development Strategy (EDS) states that a key objective is to 'increase the business birth rate in the county'. Clearly this development with an 'easy-in/easy-out' ethos could contribute to this aim.
3. The EDS also highlights the need for the provision of 'flexible business accommodation and other support services in peripheral locations'.

4. The potential for 120-140 jobs would provide a vital fillip to the fragile Ross economy with a 'trickle down' to benefit local retail and other services.
5. There may be an opportunity cost if the company relocates out with the county with consequent job losses.

The business demonstrates a high degree of fit with local and regional and national aims and policies.

5. Representations

5.1 The applicants' agents have submitted a Planning Statement, Design and Access Statement and Landscape Appraisal. The conclusions of the former are as follows:

- the land has remained undeveloped for many years without significant interest from other parties. The development would provide a major stimulus to the economy of Ross-on-wye, potentially providing 120/140 jobs excluding construction workers, and boosting local incomes. With local multiplier effects, it is estimated that the impact would be nearer 160 jobs. It is however, a package.
- There are two main planning policy areas to consider viz:
 - i) visual impact and the AONB
 - ii) the employment land allocations
- As well as being in the AONB, the site is allocated for employment uses and the principle of development has clearly been accepted. The area is clearly commercial in character and dominated by the trunk road and the development would be in keeping with this character. Part of the site was formerly the Ross Spur Services and had a generally untidy appearance with poorly maintained buildings and structures and large areas of hardstanding with no significant landscaping. This development completes the visual improvements to the area started by Ross Labels when it acquired the PFS site in 2004.
- The planning policy for AONBs, both nationally and in Herefordshire, acknowledges the need to for social and economic development for local communities within AONBs. This has long been the practice in Ross-on-Wye where most of the town has been in the AONB since it was designated in 1971.
- In accordance with this general approach, the adopted local plan and the UDP allocate land for employment development in this part of the AONB.
- Policy LA1 of the UDP sets out way that the Council wishes to approach commercial development in the AONB. The proposal meets the criteria for economic development in the AONBs set out in that policy.
- The proposal would not harm the intrinsic qualities of the AONB or the character of the area.
- The design has been developed to minimise the landscape and visual impact as would be appropriate in any development.
- The proposal complies with the AONB policies and, in this case, there is no conflict between the objectives and policies for the AONB and those for employment and economic development.

- Any conflict between the objectives has been resolved within the development plan, but even if that were not so, the weight that should be given to the protection of the AONB would have to be assessed against the poor visual quality of the area, dominated by the road and commercial development, and the lack of harm to the identified intrinsic visual quality and character of the AONB centred on the river Wye. In this particular case, we conclude the balance would have to favour the economic development. We believe that that exercise must have been carried out as part of the development plan process.
- We conclude that the development would not have an adverse impact on the Area of Outstanding Natural Beauty.
- The proposal will provide substantial employment development on the land allocated for employment use under Policy E3 of the UDP and as such complies with the policy.
- We therefore conclude that the proposals are in accordance with the planning policies for the area.

The Design and Access Statement has the following summaries:

- The building design is based on functional objectives rather than traditional influences. The composition is articulated with recesses and projections to the facade providing depth and shadow. While there is a predominately horizontal emphasis, there are contrasting vertical features.
- Commercial values for this prime location have set the opportunity for a quality building, with an excellent internal working environment, which optimises employment opportunities at Ross Park.
- The proposed development seeks to improve employment opportunities in the Ross-on-Wye area.
- An existing cycling and walking route is available to the site.
- An assessment of bus services in the area reveals the potential to improve connectivity to/from the site, through the diversion of services from Ross-on-Wye that pass the site but at present do not penetrate the site boundary.
- In addition, the site owner will develop an outline Travel Plan to manage accessibility of the site and to encourage sustainable transport modes. The recommendations regarding public transport would form part of a comprehensive Travel Plan for employees and visitors. At work, trips for employees and servicing would also need to be included. The developer accepts an agreed Travel Plan would be a condition of a planning permission.
- It is expected that the above measures would minimise the increase of net trip generation on the local highway network.
- The developer accepts that a Travel Plan will be a condition of planning consent. This would concentrate on the promotion of car sharing by employees of the development via the creation of a car share data base, reservation of car parking spaces for car sharers and the creation of emergency Get-Me-Home schemes. The objectives would be to ensure that the percentage of people travelling to work

by car is below the quoted figure in 'The Benefits of Green Travel Plans: The Guide.'

The conclusions of the Landscape Appraisal are:

From consideration of the amended illustrative layout which provides scope for a substantial and robust landscape scheme and of the montages which demonstrate the effective containment and absorption of the office building, it is concluded that the scale of the offices is appropriate in this context. The three storey element sits low in relation to the surrounding landscape and in relation to existing development both to the south-west of the site and the south of the A449. Although some reinforcement of the peripheral planting is appropriate, the boundaries provide a strong immediate enclosure and separation from the open, rising landscape of the AONB. In more elevated views from the AONB, the existing higher, bulkier buildings to the south-west are conspicuous and, by comparison, the offices will appear of a moderate, reducing scale.

Both the Design and Access Statement and Landscape Appraisal include photographs of the site illustrating the case put forward; the latter also has 3 photomontages showing the offices from three vantage points agreed with officers.

The applicant's agents have also written raising concerns as to whether the Condition directed by the Highways Agency complies with the tests in Circular 11/95, being insufficiently precise and unduly onerous.

- 5.2 Ross Rural Parish Council 'are happy for this to go ahead as it should provide expansion and new opportunities for everyone in the surrounding area.' Further letter received 14th May 2007 – 'no further comments'.
- 5.3 Ross Town Council express 'considerable concerns about this development associated with the expected increase in the volume of traffic and the need to provide pedestrian access.'
- 5.4 Brampton Abbots Parish Council's observations have not been received.
- 5.5 The prospective developer of the serviced office accommodation have written in support of the application:
 - (1) My firm has successfully developed serviced office accommodation at Monmouth and at Chepstow. It is looking for suitable locations in Ross, Worcester and in similar sized towns further up the M5 corridor.
 - (2) We have found that they accommodate a broad range of companies, particularly to start up businesses.
 - (3) I am convinced that serviced offices in these towns encourage economic development by the innovative and forward looking businesses which will form the mainstay of the local economy in years to come.
 - (4) Despite the exasperating delays and problems with getting planning, I have stuck with the project because the site is suitable and there are no other suitable sites available in Ross.

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

6. Officer's Appraisal

- 6.1 The application site is part of a larger area of about 1.2ha allocated in the Herefordshire Unitary Development Plan 2007 (UDP) for employment purposes within Use Classes B1, B2 and B8. Offices fall within Class B1 and the proposal would therefore be in accordance with Policy E3 of the recently adopted UDP. This allocation comprises a relatively narrow strip of land immediately to the south of a stream and consequently on low lying land which has long been promoted by the Council and the predecessor local planning authority for employment purposes. The western section has been developed by Ross Labels as a retail store and car park but a service road to the north of store and car park provides access to the remaining land. The site is within the Wye Valley AONB and in allocating this land it has been accepted implicitly that there would be some harm to the character and appearance of the AONB. Employment buildings and uses cannot be developed without some negative impact on rural character and (possibly) intrusion into the landscape. This may have been accepted in the South Herefordshire District Local Plan and earlier Ross-on-Wye Local Plan in view of the scarcity of suitable alternative sites, but remains in the UDP despite the proposed 10ha industrial park. Nevertheless the effect on the AONBs natural beauty and character must be considered (Policy LA1, PPS7) and the key issue is whether there is significant harm to the AONB and whether this is sufficiently serious to justify refusal of a proposal which is acceptable in principle (in relation to Policy E3) and would be expected to provide a considerable number of jobs.
- 6.2 The office block has been the subject of discussion with officers over a long period prior to submission of an application and subsequently significant changes to location and design have been made to meet concerns regarding visual impact. The applicant was initially unwilling to reduce the floor area and consequently reduce the massing of the building. As noted above however (paragraph 1.2) the proposal has been amended since being submitted with the floorspace reduced by about 750 sq.m. This has allowed the 3-storey section to be reduced in height so that the building is now 2-storeyed and the roof reconsidered to further reduce its height.
- 6.3 The main concern is that the office block would be sited towards the extremity of a tongue of land that extends from the main built-up area into the countryside. Thus there is open land immediately to the north and east and, apart from the petrol filling station and roadside services which often characterise these locations, to the south of the dual carriageway. The office block would therefore be on the very extremity of the town and the first building to be seen approaching Ross from the east (M50/A449). It is accepted that other large buildings (e.g. Somerfield's depot and the Paragon Laundry) have been developed on the north side of the A40/A449 and these have had a detrimental impact but these buildings are at least seen from the north against the backdrop of the town and are not prominent (other than from the A40) in views from the south. A part 3-storey building of the size originally proposed would stand out against green fields from both viewpoints. The reduction in size and especially height is a significant improvement in terms of impact of the landscape of the AONB. This would still be a large building but I consider that it would fit acceptably on this sensitive site. The submitted landscaping scheme would also help. It is appreciated that the building's appearance has not been fully worked out but this is an outline application and subject to later approval.

- 6.4 As originally proposed, the development was at the eastern end of a series of new buildings linking the offices visually to the existing Focus Do-It-All and Ross Labels buildings. The intention was that the construction of the office block would be linked to the retail warehouses. The latter have been refused permission and the storage unit now proposed would be at a lower level. I understand that both offices and storage building would be erected by the same developer and the agent confirms that development of both sites will go ahead.
- 6.5 I consider therefore that although this is not a small-scale building in an important position and could not be screened any harm to the AONB would not be sufficient to justify refusal of permission. In determining this application its benefits should also be weighed. It would secure additional employment for the town and an alternative proposal may not be brought forward. As noted above the land has been allocated for many years. The applicant's agent points out that a three-year marketing exercise was unsuccessful and this 'may well be a one off opportunity for the foreseeable future' (agent's letter of application). Furthermore, as the agent points out, the earlier proposal had local support from Ross Chamber of Commerce and Advantage West Midlands.
- 6.6 The internal layout and parking has been modified to take account of the Traffic Manager's concerns. A travel plan would be required by condition as directed by the Highways Agency and this should meet some of the problems of this site which is not easily accessed other than by car. This condition has been amended by the Agency to ensure compliance with the tests set out in Circular 11/95. The site has been allocated for B1 purposes and its relatively "unsustainable" location is not therefore sufficient grounds for refusal.
- 6.7 I consider therefore that this proposal is acceptable and recommend that permission be granted.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A02 (Time limit for submission of reserved matters (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 A03 (Time limit for commencement (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 A04 (Approval of reserved matters)**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 A05 (Plans and particulars of reserved matters)**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5 F48 (Details of slab levels)

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

6 G01 (Details of boundary treatments)

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

7 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

8 Prior to the commencement of the development an Outline Travel Plan, (which contains an overview of the transport implications of the proposed development, a commitment to promote alternative sustainable means of transport for staff and visitors and supporting strategies, with respect to the development hereby permitted), shall be submitted to and be approved in writing by the local planning authority.

Reason: To satisfy the aims of PPG13 in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to and from the site. To ensure the A449 trunk road continues to be an effective part of the system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 to protect the interest of road safety on the Trunk Road.

9 Within six months of the development being first brought into use, a Full Travel Plan, that contains a survey of travel patterns, targets and measures to promote alternative sustainable means of transport for staff and visitors, and the steps that would be taken in the event that targets are not met shall be further submitted to and be approved in writing by the local planning authority. The Travel Plan shall be implemented in accordance with the approved details.

Reason: To satisfy the aims of PPG13 in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to and from the site. To ensure the A449 trunk road continues to be an effective part of the system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 to protect the interest of road safety on the Trunk Road.

10 A detailed written record shall be kept by the Developer in the first instance and thereafter the occupier, of the measures undertaken to promote sustainable transport initiatives. A review of the Travel Plan shall be undertaken annually, commencing from the date of first occupation and within the year. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

Reason: To satisfy the aims of PPG13 in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to and from the site. To ensure the A449 trunk road continues to be an effective part of the system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 to protect the interest of road safety on the Trunk Road.

INFORMATIVES

1 N19 - Avoidance of doubt

2 N15 - Reason(s) for the Grant of Planning Permission

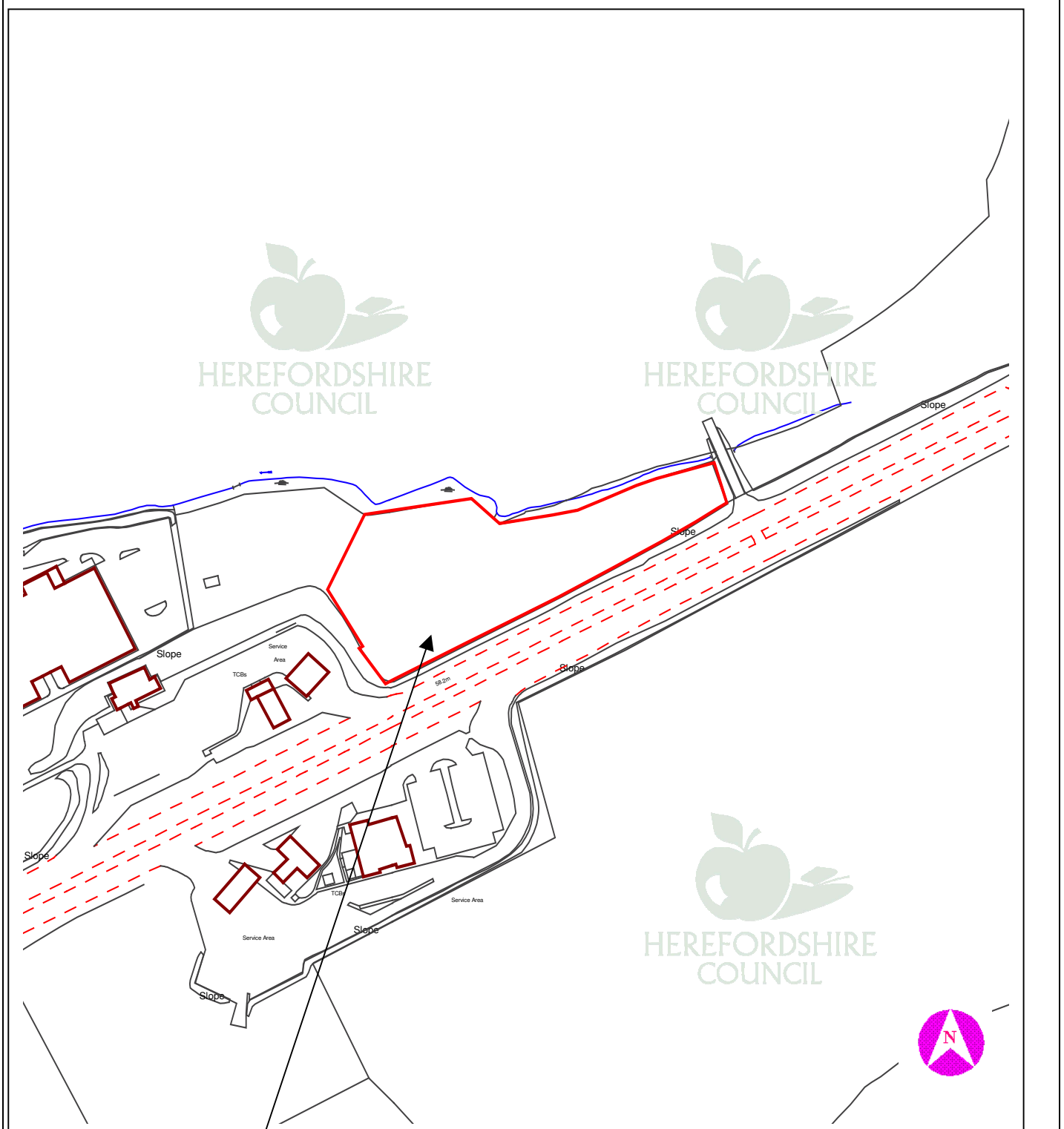
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2007/0181/O

SCALE : 1 : 2500

SITE ADDRESS : BP Northbound, Ross Spur, Ross-on-Wye, Herefordshire, HR9 7QQ

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