

**DCSE2007/3140/O - OUTLINE PLANNING APPLICATION FOR THE DEVELOPMENT OF EMPLOYMENT USES INCLUDING B1, B2 AND B8. TOGETHER WITH CHANGE OF USE TO FORM LANDSCAPE BUFFER ZONE AT MODEL FARM, HILDERSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7NN**

**For: Herefordshire Council per Hunter Page Planning Ltd, Thornbury House, 18 High Street, Cheltenham GL50 1DZ**

**Date Received: 9th October 2007 Ward: Ross-on-Wye East Grid Ref: 61387, 24164  
Expiry Date: 8th January 2008**

Local Members: Councillor H Bramer, Councillor Mrs A Gray and Councillor P Cutter

**1. Site Description and Proposal**

- 1.1 Model Farm is located in the Hildersley area of Ross-on-Wye, approximately one mile to the east of the town centre. The site which in total is some 15 hectares is within the settlement boundary of Ross-on-Wye and is identified in the Herefordshire Unitary Development Plan 2007 as allocated employment land protected open area and green spaces.
- 1.2 The site currently comprises part of two farms, Model Farm and Spring Farm. It consists of a farmyard including farmhouse and a number of agricultural buildings of varying architectural merit, along with the surrounding agricultural land. To the south, the site is bounded by the A40(T) where vehicular access will be achieved. To the north and east is agricultural land and to the west is a residential area, which is located beyond an identified green buffer zone. There are a number of hedgerows, mature and semi mature trees located across the area. A series of small ponds are located to the south east of the farm yard and is also located within the source protection zone of the Alton Court Aquifer.
- 1.3 The application seeks outline planning permission for the principle of developing the site for employment purposes including B1 (business), B2 (general industrial) and B8 (Storage and distribution) land uses. The layout, scale, appearance and landscaping of the development are reserved for future consideration. A new vehicular access will be formed onto the A40(T) to the south east corner of the site.
- 1.4 In addition, the proposal includes the change of use of agricultural land to the west of the site to provide a landscape buffer area. This is to ensure that an area of open space is maintained between the development site and the adjacent residential properties.

## 2. Policies

### 2.1 Planning Policy Guidance

- PPS.1 - Delivering Sustainable Development
- PPG.4 - Industrial and Commercial Development
- PPG.13 - Transport
- PPS.25 - Development and Flood Risk

### 2.2 Herefordshire Unitary Development Plan

- Policy S.1 - Sustainable Development
- Policy S.2 - Development Requirements
- Policy S.4 - Employment
- Policy S.6 - Transport
- Policy DR.2 - Land Use and Activity
- Policy DR.3 - Movement
- Policy DR.4 - Environment
- Policy DR.7 - Flood Risk
- Policy DR.13 - Noise
- Policy E.3 - Other employment land allocations
- Policy E.8 - Design Standards for Employment Sites
- Policy LA.2 - Landscape Character and Areas Least Resilient to Change
- Policy LA.5 - Protection of Trees, Woodlands and Hedgerows
- Policy LA.6 - Landscaping Schemes
- Policy NC.1 - Biodiversity and Development
- Policy HBA.9 - Protection of open areas and green spaces

## 3. Planning History

- |     |                 |  |   |                        |
|-----|-----------------|--|---|------------------------|
| 3.1 | DCSE2004/0093/F | Lean-to extensions to existing agricultural barn         | - | Approved<br>08.02.2004 |
|     | DCSE2000/1592/F | Change of use of field to temporary maze and car parking | - | Approved<br>12.06.2001 |

## 4. Consultation Summary

### Statutory Consultations

- 4.1 The Environment Agency has no objection to the proposal subject to conditions regarding foul water, surface water and land drainage.
- 4.2 The Welsh Water has no objection subject to conditions regarding foul water, surface water and land drainage.
- 4.3 The Highways Agency have indicated that they have no objection to the proposal subject to conditions regarding the creation of the new access and the preparation of full travel plans.

### Internal Council Advice

- 4.4 The Traffic Manager has no objection subject to conditions regarding creation of the access and the preparation of full travel plans.

4.5 The Conservation Manager has no objection subject to conditions to retain existing hedgerows and the submission of a habitat management and enhancement scheme for the site and landscape and biodiversity enhancement scheme for the landscape buffer zone. In addition, if development does not take place before March 2009 an updated survey for protected species shall be undertaken.

4.6 The Forward Planning Manager has no objection to the proposal.

## 5. Representations

5.1 A Design and Access Statement has been submitted by the applicant in support of the application which provides the necessary justification for the principle of employment use on the site. In addition, a transportation assessment, flood risk assessment and ecological assessment have been completed and submitted in conjunction with the planning application.

5.2 Ross-on-Wye Rural Parish Council has made the following comments:

- We welcome the use of more 'high tech' land rather than warehousing.
- It will be essential to retain the buffer zone as a public open space and should not be used for building.

5.3 Ross-on-Wye Town Council has made the following comment:

This has the potential to be a flagship development and consideration should be given to high standards of energy efficiency and the use of sustainable drainage systems.

5.4 A letter of objection has been received Virginia Morgan, Secretary for Herefordshire Branch of Campaign for the Protection of Rural England in which the following main points are raised:

- Potential threat to the source protection zone of the Alton Court aquifer in the Old Red Sandstone at Model Farm.
- Endorse the comments of the UDP Inspector that the site is unsuitable for the proposed use. The proposal would damage the landscape character, the visual amenity, the environment and possibly the tourist industry in lessening the attractiveness of the eastern entrance to Ross.

5.5 3 letters of objection have been received from:

Mr J.P. Lines, Bearsfield, 7 Parsons Croft, Hildersley, Ross-on-Wye, HR9 5BN  
Neil B Pascoe, 17 Parsons Croft, Hildersley, Ross-on-Wye, HR9 5BN  
Richard D Brogden, Bruton Knowles Property Consultants, Bisley House, Green Farm Business Park, Bristol Road, Gloucester, GL2 4LY

In which the following main points are raised:

- Has a screening exercise been undertaken as to whether an Environmental Impact Assessment is required for the scale of development?
- Flood risk assessment does not consider effects of flood alleviation scheme currently under construction - need to demonstrate that there is no risk of increased flooding to Model Farm or adjoining land as a result of the combined effects of the flood alleviation scheme and the proposed development at Model Farm

- Ecological assessment does not appear to have been undertaken on landscape buffer zone
- Transportation Assessment does not take account of change in ground levels when assessing the visibility splay - would result in removal and complete loss of hedgerow for 215m stretch
- Stated visibility splay does not meet statutory requirements for a 60 mile an hour road in either direction
- Transportation Assessment does not appear to consider impact of proposed works and whether they will create a highway hazard. In order to prevent highway hazards, necessary to reduce the speed limit either by way of a national speed limit or construction of a roundabout at the junction with Model Farm
- Surprised that no archaeological survey has been undertaken and that landscape protection has been made a reserved matter
- What guarantees are there that the buffer zone will remain in perpetuity?
- Basic warehousing functions should be avoided
- Site should be adequately screened in most natural way possible
- Movement of heavy vehicles during night should be avoided
- Concerned about noise and light pollution
- Concerned about impact of volume of traffic at Hildersley, in addition to the issue of pedestrian crossing the roads to access the bus stops

5.6 The applicants have provided a detailed response to these representations that reiterate the details included in the Design and Access statement and the supporting documentation.

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 main considerations in determining this application are:

- The principle of developing the site
- The impact of the development on the highway network
- The flood risk implications of the proposal
- The ecological and landscape implications of the proposal

### The Principle of Development

6.2 Ross-on-Wye is designated as one of the 5 market towns suitable for additional growth required to meet the County's strategic and local development objectives. Policy E3 of the Herefordshire Unitary Development Plan allocates Model Farm for employment use.

Policy E3 states:

The need for additional employment land at Ross-on-Wye was initially considered and discounted during the preparation of the South Herefordshire District Local Plan. The Inspector recommended that the need for additional land be reviewed through Plan formulation. Accordingly, a study has been undertaken as part of the process of preparing the UDP. This compares employment land supply with the land and premises requirements of indigenous firms, inward investment and start ups, and concludes that a site of 10 to 13 hectares capable of accommodating a range of requirements for Part B uses will be required within the Plan period.

- 6.3 The allocation of the site for employment uses establishes that the site is considered, in principle, to be suitable for such a use in order to meet the future employment needs of Ross-on-Wye.
- 6.4 A screening opinion has been carried out regarding whether there is a requirement for an environmental assessment in this instance. It concluded that there is no requirement. In summary it states that the proposal will not have unusually complex or potentially hazardous environmental effects.
- 6.5 Notwithstanding the site allocation, any application must be consistent with any other relevant policies contained within the UDP. These are considered in detail below.
- 6.6 Policy S.1 sets out the general sustainability considerations to be applied in determining planning applications. It provides a number of criteria that should be used to assist in the promotion of sustainable development. In essence, the proposed use of the site for employment purposes is consistent with the principles of sustainable development. It is a sustainable location in relation to Ross-on-Wye and the surrounding highway network, will promote sustainable economic development and will assist in reducing the need to travel further from Ross in order to access suitable levels of employment.

*Impact of the Development on the Highway Network*

- 6.7 Policy DR.3 seeks to ensure that a safe, convenient and attractive pattern of movement into, out of and across a site are achieved and that proposals do not have a detrimental impact on highway safety. The application is accompanied by a Transport Assessment which addresses the potential impact of the proposal on the highway network and proposes a new ghost island priority junction arrangement to access the site from the A40(T). In addition, a draft Framework Travel Plan has been prepared to reduce the overall amount of car travel, to increase the use of sustainable transport and promote a healthier lifestyle for employees, visitors and the wider community.
- 6.8 On the information provided, it is considered that the proposal will not have an unacceptable impact on the highway network including Hildersley roundabout, Overross roundabout and the junction of the Gloucester and Alton Road. Members will note that the Highways Agency (responsible for trunk roads) has no objection to the proposal, subject to the imposition of appropriate conditions. The proposed new access arrangements are considered acceptable. It is recognised that a section of hedgerow will be removed in order to provide adequate visibility. The land is within the applicants' ownership and therefore a condition can be imposed to require a comprehensive landscaping scheme that includes the replacement of the hedge with an appropriate mixed native species. The Framework Travel Plan provides the scope and objectives for Full Travel Plans. These can only be developed once details of each of the end-occupiers are known. As the application is in outline, a condition will be imposed to ensure that full travel plans are adopted at the reserved matters stage.

*Flood Risk Implications*

- 6.9 Policy DR4, DR6 and DR7 requires all proposals to safeguard the availability and quality of surface and groundwater supplies and avoid creating or exacerbating problems of flooding and pollution. The application is supported by a flood risk assessment which takes into account the flood alleviation scheme for Ross-on-Wye that includes a 1.7m high flood bund to the east of the A40 and a new 350m long culvert under parts of the town.

6.10 The site is within flood risk zone 1 and therefore at low risk to flooding. It lies in the Source Protection Zone II for the Alton Court Public Water Supply abstraction in Ross-on-Wye. It is recognised that the development would increase the amount of impermeable area and therefore increase surface water runoff rates from the site. This could, if not controlled, increase the flood risk to the development or other properties in the catchment. The assessment identifies that the land is to be divided into two catchments; the northern adjacent to the former railway line and the southern adjacent to the A40. Runoff from these catchments will be directed to two large dry detention basins that would be grassed lined and planted. The outlet to the basins will go to two treatment ponds that will allow for the clarification and oxygenation of the surface water. The outlet to these ponds will be directed to the existing watercourse. The flood risk assessment demonstrates that the proposed development can be undertaken in a sustainable way. Conditions will be attached to ensure that at the reserved matters stage a detailed scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage including the protection of the Alton Court Public Water Supply is submitted for approval by the Local Planning Authority in consultation with Welsh Water and the Environment Agency.

#### Ecological and Landscape Implications

6.11 Policy NC1 requires that the effects upon biodiversity are taken fully into consideration when determining development proposals. The application is supported by an ecological assessment. There are no overwhelming ecological constraints to the development of the site but there is excellent opportunity for biodiversity enhancement, including within the landscape buffer zone that will be subject to conditions.

6.12 Policy HBA9 refers to the protection of open areas and green areas of value. It identifies buffer zones between two incompatible land uses as worthy protection against future development. The proposal seeks to preserve the open buffer area between the development site and the residential area to the west. The proposal includes the change of use of this area from agricultural land to a protected open space to ensure its long-term preservation.

6.13 The topography of the site undulates slightly, although not significantly. From the A40 the land slopes gently down to the existing farmyard and then elevates slightly to the north towards Highfield Farm. The site is reasonably visible from the surrounding area and particularly when approached from the east. A comprehensive landscaping scheme will be subject to a condition.

#### Summary

6.14 The application brings forward a key allocated employment site from the adopted Unitary Development Plan. The scheme has been sensitively designed, and will represent a significant contribution to the ongoing regeneration of Ross on Wye.

### **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

- 2 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

- 3 Approval of the details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

**Reason: To enable the local planning authority to exercise proper control over these aspects of the development.**

- 4 Plans and particulars of the reserved matters referred to above relating to the layout, scale, appearance and landscaping, shall be submitted in writing to the local planning authority and shall be carried out as approved.**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

- 5 Prior to the commencement of the hereby permitted development, full landscape details, including the treatment of the landscape buffer zone, (annotated with a cross hatch on the approved plans), shall be submitted in writing with appropriate scaled plans, to the Local Planning Authority, for written approval. Works shall be carried out in accordance with the approved landscaping plans in the first planting season following the completion of the development or prior to the occupation of the first dwelling, whichever is the sooner, and thereafter maintained as such.**

**Reason: To ensure a satisfactory appearance to the development within the landscape, and safeguard the amenity of future occupiers of the residential development, in accordance with Herefordshire Unitary Development Plan policies S1, S2, DR1, DR2 and DR13.**

- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year defects period.**

**Reason: In order to protect the visual amenities of the area.**

- 7 None of the existing trees and/or hedgerows on the site shall be felled or wilfully damaged or destroyed. The detailed plans to be submitted with the matters reserved in this permission shall show accurately the position, spread and species of each existing tree/hedgerow on the site, how these are to be incorporated into the layout of the development and measures for their protection during the construction period.

Reason: To safeguard the amenity of the area.

- 8 The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 9 H08 (Access closure )

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

- 10 H30 (Travel plans )

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives.

- 11 D03 (Site observation - archaeology )

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

- 12 No development shall take place until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the provisions of the approved Plan.

Reason: In the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policies S10 and DR4 of the Herefordshire Unitary Development Plan 2007.

- 13 Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the Public Sewerage System.

- 14 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.



**Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.**

- 15 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.**

**Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.**

- 16 No development shall commence until the Developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority in liaison with Dwr Cymru Welsh Water's Network Development Consultant.**

**Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.**

- 17 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system including the use of Sustainable drainage systems, as detailed within the Flood Risk Assessment dated October 2007, including plan 30802/PDL\_01 Rev A dated October 2007, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, in consultation with the Environment Agency.**

**Reason: To prevent the increased risk of flooding and provide water quality benefits and biodiversity enhancements by ensuring the satisfactory means of surface water disposal.**

- 18 Soakaways and other infiltration systems shall only be used in areas on site where they would not present a risk to groundwater, demonstrated through a ground investigation including maximum seasonal height of the water table and the ground permeability. If permitted their location must be approved in writing by the Local Planning Authority. No soakaways shall be constructed such that they penetrate the water table and they shall not in any event exceed 3 metres in depth below existing ground level.**

**Reason: To prevent pollution of controlled waters.**

- 19 Prior to the commencement of development a scheme for the collection and disposal of highway run-off shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall be carried out and implemented in accordance with the approved plans.**

**Reason: To prevent pollution of controlled waters.**

- 20 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

- 21 All facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

- 22 No development shall commence on site until a habitat management and enhancement scheme based upon the recommendations in section 5 of the ecologist's report dated September 2007 has been submitted to the Local Planning Authority, in order to protect and enhance the habitats on site for wildlife and biodiversity. The scheme shall include a mitigation strategy for badgers, and be implemented as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure all species of bat and their roosts are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 (as amended) and policies NC1, NC5, NC6 and NC7 within the Unitary Development Plan.

- 23 Prior to commencement of development a biodiversity enhancement scheme for the landscape buffer zone shall be submitted to the Local Planning Authority and shall include an extended Phase 1 survey of the existing habitats and a future management plan. This shall be implemented as approved.

Reason: To ensure the law is not breached with regard to nesting birds which are protected under the Wildlife and Countryside Act 1981, the Conservation(Natural Habitats, &c) Regulations 1994 (as amended) and policies NC1, NC5, NC6 and NC7 within the Unitary Development Plan.

- 24 If development does not take place before March 2009 update surveys for protected species shall be undertaken prior to development and a report submitted to the Local Planning Authority. A mitigation and compensation strategy should also be submitted if found to be present.

Reason: To comply with Herefordshire Council's Policy NC8 and NC9 in relation to Nature Conservation and Biodiversity to meet the requirements of PPS9 Biodiversity and Geological Conservation and the NERC Act 2006.

- 25 An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation and enhancement work.

Reason: To conserve and enhance protected habitat and to maintain the foraging area for protected species in compliance with UDP policies NC6, NC7, NC8 and NC9 and Planning Policy Statement 9.

**INFORMATIVES:**

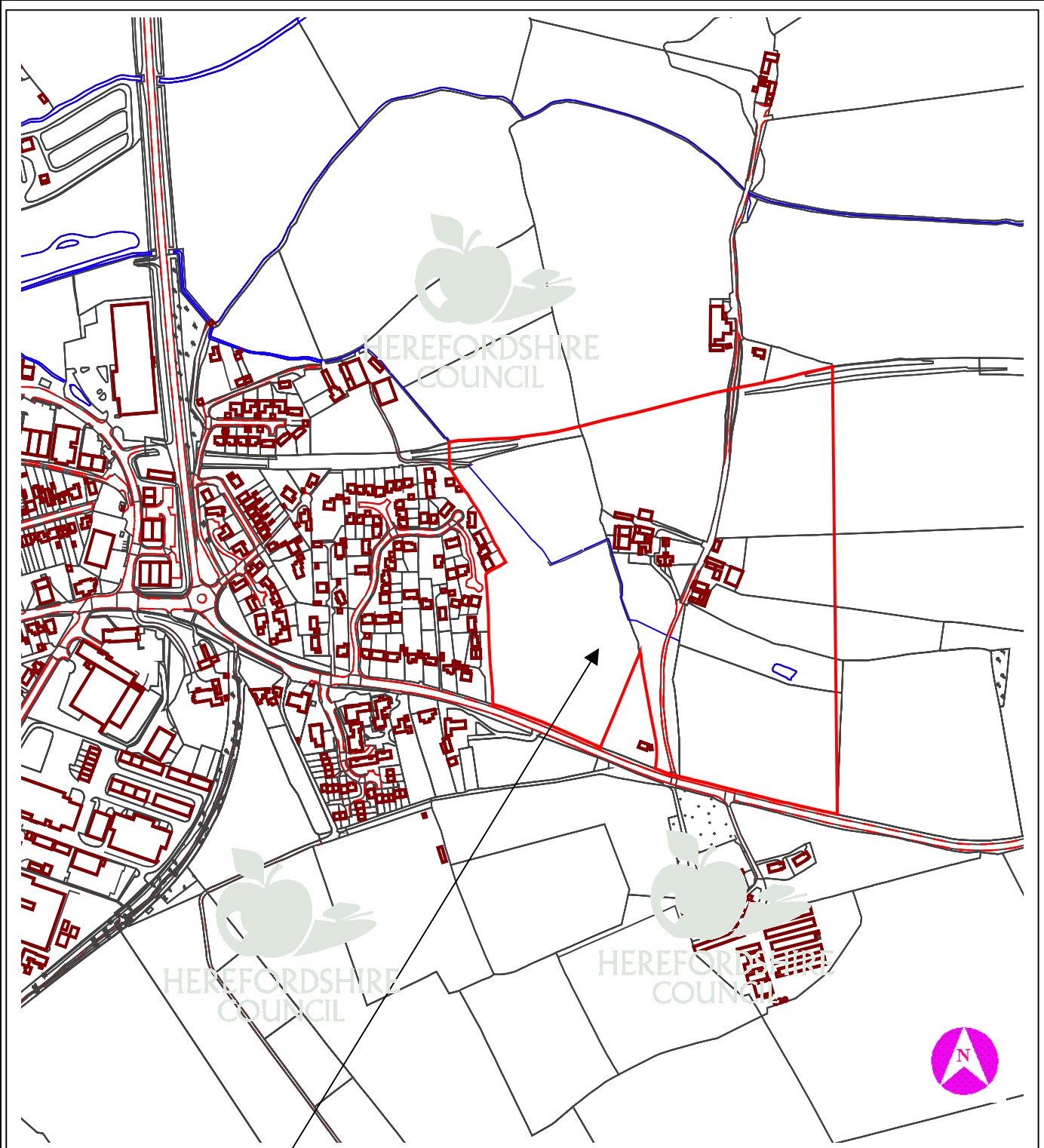
- 1 The applicant should be aware that pursuant to section 23 of the Land Drainage Act 1991, the prior consent of the Agency is required for the erection of any mill, dam, weir or other like obstruction to the flow of an ordinary watercourse or raise or otherwise alter such an obstruction; or erect any culvert that would be likely to affect the flow of any ordinary water course or alter any culvert in a manner that would be likely to affect any such flow. Any culverting of a watercourse also requires the prior written approval of the Local Authority under the terms of the Public Health Act 1936. The Agency resists culverting on conservation and other grounds and consents for such work will not normally be granted except for access crossings.
- 2 There must be no discharge of foul or contaminated drainage from the site into either groundwater or surface waters, whether direct or via soakaways.
- 3 Roofwater drainpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.
- 4 HN25 - Travel plans
- 5 In connection with Condition 10, the applicant is advised that the annual Travel Plan Review must include a survey of staff/resident travel patterns and attitudes to travel. (For businesses employing less than 50 people and for residential developments of less than 50 units, a travel survey will only be required every two years). For residential developments, the review should also include traffic counts and an assessment of trips by mode. Applicants are encouraged to conduct their own monitoring and review process. However, they may choose to engage outside consultants to manage the process on their behalf. Council officers can also provide monitoring services for Travel Plan reviews and for this a request should be made to the Sustainable Transport Officer, Herefordshire Council Transportation Unit, PO Box 236, Plough Lane, Hereford, HR4 0WZ
- 6 N19 - Avoidance of doubt
- 7 N15 - Reason(s) for the Grant of Planning Permission.

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2007/3140/O

**SCALE :** 1 : 6201

**SITE ADDRESS :** Model Farm, Hildersley, Ross-on-Wye, Herefordshire, HR9 7NN

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