

**13 DCNC2007/3460/O - SITE FOR PROPOSED
VETERINARY CENTRE INCLUDING CAR PARKING
AND LANDSCAPING. PLOT 15, LEOMINSTER
ENTERPRISE PARK, LEOMINSTER, HEREFORDSHIRE**

**For: Mr Prail Baart Harries Newall, 1 Wilderhope
House, Pountney Gardens, Belle Vue, Shrewsbury SY3
7LG**

Date Received:
2nd November 2007

Ward: Leominster South

Grid Ref:
50013, 57670

Expiry Date:
28th December 2007

Local Members: Councillor R. B. A. Burker
Councillor R. Hunt

1. Site Description and Proposal

- 1.1 The site area is 0.5 hectares of allocated employment land on the Leominster Enterprise Park. The site is also adjacent to safeguarded employment land where industrial units are located to the south of Leominster town.
- 1.2 The application is made in outline with all matters reserved for future consideration and seeks to erect a veterinary centre. The application is accompanied by an indicative perspective to suggest how the building might appear, and a sequential test to attempt to demonstrate that other sites have been considered for the development but there are none either available or suitable. A feasibility study exploring the re-development of the existing site on Ryelands Road is also included, as is a statement from the applicant's outlining their expansion strategy and a design and access statement.

2. Policies

Herefordshire Unitary Development Plan

DR1 - Design
E5 - Safeguarding employment land and buildings
E8 - Design standards for employment sites

The development guide prepared by Advantage West Midlands (AWM) is not an adopted document but provides a broad overview of the requirements for developments on the enterprise park. It is therefore relevant to this application.

3. Planning History

- 3.1 NC2007/1671/O - Site for veterinary centre - Withdrawn
- 3.2 NC99/2883/O - Industrial use of land, construction of access road and ancillary works - Approved 23/12/99
- 3.3 Recent permissions for commercial development on other plots exist and have either been fully implemented or are in the process of being built. Amongst these is the planning permission for West Mercia Constabulary for the new police station (NC2006/0612/F).

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Advice

- 4.2 Transportation Manager - No objection subject to conditions and a contribution to highway improvements through a Section 106 Agreement as per the Planning Obligations Supplementary Planning Document.
- 4.3 Economic Regeneration Manager - Comments as follows:

I have no objection in principle to the application and to the vets centre being on the Enterprise Park. This is based on the premise that the development is allowing the practice to expand its operations and viability, leading to the creation of several new jobs. Additionally some of the jobs to be created are of high quality and highly paid, therefore assisting us in one of the aspirations of the County Economic Development Strategy, that of creating more and better paid employment. One last point is that I would concur with their assessment that there is no other available site that would suit their needs locally.

I have one negative thought about the application and that regards it's site location. Given that the expansion of the practice will allow the centre to treat larger animals I am concerned about the potential to have a conflict of image between animal transporters and the rest of the estate, much of which will be highly skilled employment. In my view a site towards the fringes of the Enterprise Park would be preferable since the plot configuration could allow for the loading and unloading of animals and parking of their transport to be screened from the rest of the Park.

On balance however I support the application.

- 4.4 Forward Planning Manager - Comments as follows:

This application relates to development which is not classed as employment use. The site is allocated under policy E3 for employment use, therefore in this respect the proposal is contrary to Policy E5 (which states that proposals resulting in the loss of employment land and buildings to non-employment uses will only be permitted if it has substantial benefits to residential or other amenity; or incorporates retail use as a minor add-on to a primary class B use).

The feeling is therefore, that this proposal would not only result in the loss of employment land on the site, but would be a threat to the industrial/commercial nature of the site through the introduction of non B-class uses - and as a result would not benefit the employment situation within Leominster.

Furthermore, the sequential test which accompanies the application relating to other available sites within Leominster does not appear to be sufficiently systematic and thorough enough to justify the need for setting aside adopted planning policy on the proposed site, and in addition land at other industrial sites nearby but potentially in a better "sequential location" (e.g. Southern Avenue) have not been considered.

Our concern is that approval of this application will start to set a precedent for the Enterprise Park making it more difficult to resist proposals for non-employment uses - such as retail uses or car showrooms.

Internal Council Advice

5. Representations

5.1 Leominster Town Council - Recommends approval

5.2 In support of the application the applicant's agent has considered the re-development of the existing Ryelands Road site on three premises, the continued use of the existing buildings, the possibility of adaptation or re-development of the site and the environmental benefits of the re-use of the site as opposed to the development of a new site.

The report concludes that it is preferable to look at new build on three counts:

1. It is economically cheaper to look at new build rather than adaptation of the existing site.
2. It is more practical to develop a new site as the business will not be disrupted.
3. There are more environmental benefits with a new build option.

The sequential test considers three other sites in Leominster, the former police station site on Ryelands Road, Pinsley Mill and its immediate environs and the Arrow Plant Hire site on Worcester Road. The report also looks at the possibility of developing redundant farm buildings in the locality, although no specific sites are detailed.

The sites at Ryelands Road and Pinsley Mill both benefit from planning permission for residential development and the Arrow Plant Hire site is not currently on the market. Agricultural buildings were generally considered to be too remote from the town to be feasible and therefore the report concludes that the most appropriate site would be on the Enterprise Park.

The business strategy advises of current staffing levels of 10 full-time vet equivalents and support staff of 8 nurses and 10 reception and administrative staff. The development of new premises will, in part, allow expansion into specialist niche areas such as animal physiotherapy and in turn will bring further employment opportunities.

The report goes on to consider the use of the existing premises in light of a recently introduced Veterinary Practice Standards Scheme. It concludes that these will be difficult to meet and gives some examples including:

1. Freedom from offensive odours.
2. Maintenance of a comfortable working temperature.
3. Adequate storage facilities.
4. Easily accessible office and reception facilities.
5. Adequate toilet and washroom facilities for staff and clients.

As with the other reports, it concludes that the levels of good practice can be most readily achieved if a new site on the Enterprise Park is established.

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

6. Officers Appraisal

- 6.1 The proposed use as a veterinary surgery is a sui generis use for the purposes of the Town & Country Planning (Use Classes) Order. Accordingly it does not fall within the allocated uses for the Enterprise Park as defined by the original outline planning permission that includes a condition limiting uses to those falling within Classes B1, B2 and B8. This is also reflected by Policy E3 of the Herefordshire Unitary Development Plan.
- 6.2 As the comments of the Forward Planning Manager advise, the proposal is contrary to policy. A judgement therefore has to be made as to whether there are other material planning considerations to outweigh the adopted policies.
- 6.3 The only exception that has been made on the Enterprise Park to date has been the provision of a new police station. It was demonstrated that there were no other suitable sites for such a building and ultimately the provision of an important civic building was considered to outweigh policy.
- 6.4 The applicant's agent has undertaken a process of identifying alternative sites, first considering the improvement of the existing premises on Ryelands Road and then looking at other sites within Leominster. As the Forward Planning Manager notes, there does not appear to have been a systematic approach to the sequential test and sites on Southern Avenue have not been considered, albeit that it is also allocated for B Class uses.
- 6.5 In contrast the Economic Regeneration Manager is broadly supportive of the application, noting that it is a high quality use that will generate skilled employment opportunities. However, he does express some concern about the central location of the site within the Enterprise Park and the impact that the introduction of a veterinary centre dealing with larger animals and their associated transporters might have on its image. It is suggested that a more peripheral plot that could be screened from the rest of the site might be more desirable in this respect.
- 6.6 The allocation of the Enterprise Park is still relatively recent. The provision of the police station was very much an exception to policy but was justified as discussed above. This proposal, whilst being of a high quality and likely to create new employment opportunities, is contrary to policy. The sequential test is not sufficiently

exhaustive and the use is not entirely compatible with the commercial allocation of the site.

- 6.7 It is therefore concluded that, on balance, there are not sufficient material planning considerations to outweigh the adopted policies of the UDP. The application is accordingly recommended for refusal.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1 The proposal for the provision of a new veterinary surgery is contrary to the allocated B1, B2 and B8 uses as defined by the outline planning permission for the Leominster Enterprise Park (DCNC1999/2883/O) and Policy E3 of the Herefordshire Unitary Development Plan. The applicant has failed to demonstrate that there are sufficient material planning considerations to override this policy.**

Decision:

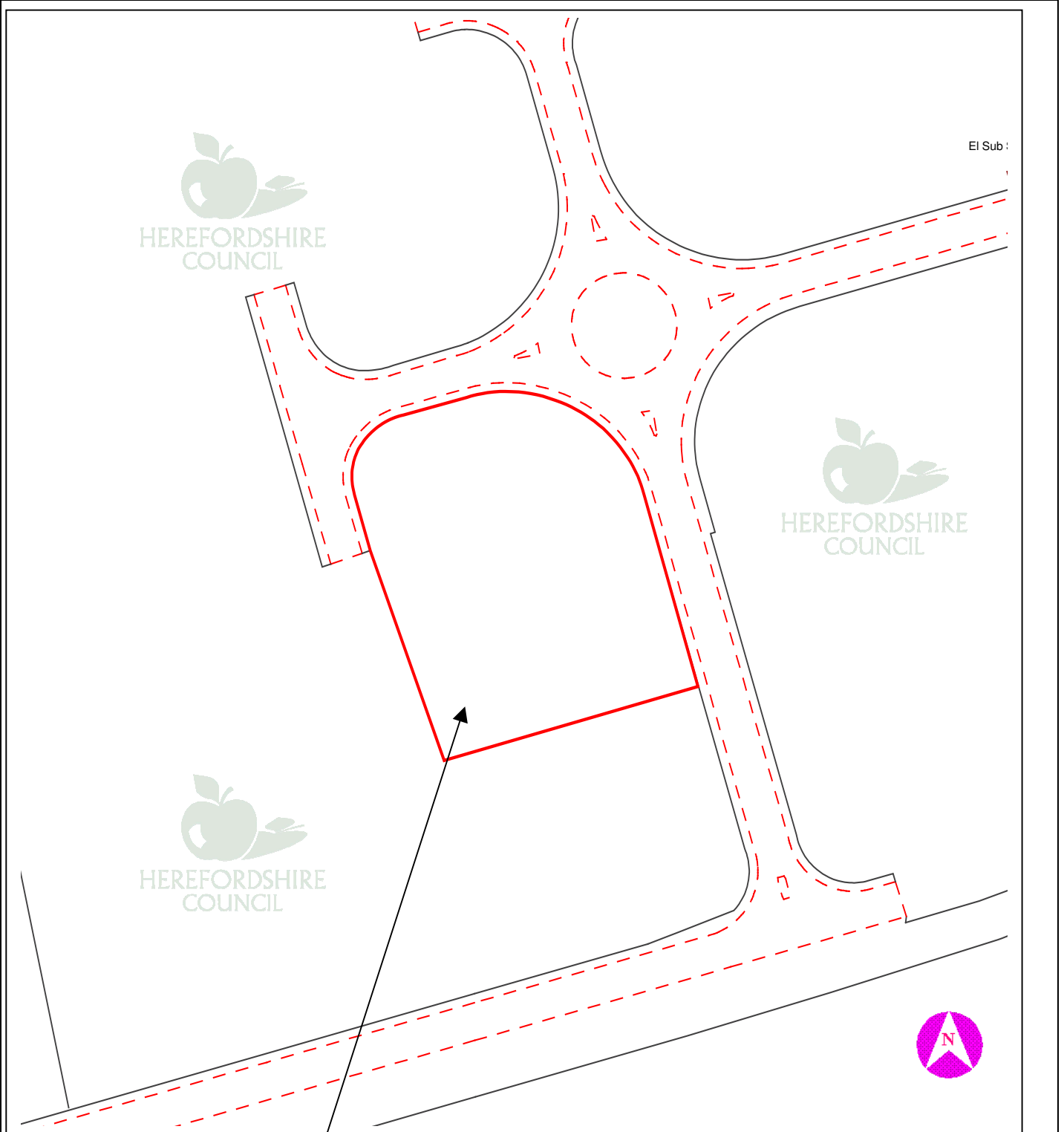
Notes:

.....

Background Papers

Internal departmental consultation replies.

AREA SUB-COMMITTEE



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNC2007/3460/O

SCALE : 1 : 1250

SITE ADDRESS : Plot 15 Leominster Enterprise Park, Leominster, Herefordshire

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005