

7 DCCW2003/1332/O - PROPOSED ERECTION OF B1 (OFFICES AND LIGHT INDUSTRY) AND B8 (WHOLESALE STORAGE DISTRIBUTION) FLOORSPACE AT MORETON PARK, MORETON-ON-LUGG, HEREFORD, HR4 8DS

For: Greatwest Investments Ltd. per PRC Fewster, 32 Victoria Road, Surbiton, Surrey, KT6 4JJ

Date Received: 2nd May 2003

Ward: Sutton Walls & Wormsley Ridge

Grid Ref: 50248, 46552

Expiry Date: 27th June 2003

Local Members: Councillors J.G.S. Guthrie and J.C. Mayson

1. Site Description and Proposal

- 1.1 The application site forms part of the old Ministry of Defence (MoD) depot located approximately 5 miles north of Hereford and a quarter mile north of Moreton-on-Lugg. The site is accessed directly off the A49 trunk road and is also connected directly to the Crewe-Newport main railway by sidings entering the site from the east. The total site area is approximately 38 hectares, however this application relates to 14.42 hectares in the central and southern parts of the site. The site currently comprises of a number of offices, warehouses and storage areas. Two large warehouses dominate the site at a size of 27,191m² and 19,500² respectively. A 1393m² office fronts the main entrance to the site and a number of smaller buildings are dispersed throughout the area. The total area covered by hardstandings is approximately 30,000m².
- 1.2 This application seeks outline planning permission for the erection of up to 63,390m² of B1 (offices/light industry) and B8 (wholesale and distribution) floor space within the site. As submitted only the means of access is for consideration at this stage with external appearance, siting, design and landscaping reserved for future consideration. An indicative master plan layout for the site has however been included which identifies five separate areas for future development. The access to this part of the application site will remain in its existing position directly off the A49 trunk road.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
PPG4 - Industrial and Commercial Development and Small Firms
PPG7 - The Countryside – Environmental Quality and Economic and Social Development
PPG9 - Nature Conservation
PPG13 - Transport

2.2 Hereford and Worcester Country Structure Plan:

- Policy E1 - Economic Growth

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| Policy E2 | - | Economic Growth |
| Policy E3 | - | Employment Land Requirements |
| Policy E6 | - | Industrial Development in Rural Areas |
| Policy CTC9 | - | Development Requirements |

2.3 South Herefordshire District Local Plan:

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| Policy GD1 | - | General Development Criteria |
| Chapter 17A | | |
| Policy 1 | - | Future Use of Depot |
| Policy 1A | - | Central and Southern Sectors |
| Policy 2 | - | Protection of the Natural Environment |
| Policy 3 | - | Rail Access |
| Policy 4 | - | Landscaping |
| Policy ED1 | - | Employment Land Availability |
| Policy ED2 | - | Employment Land |
| Policy ED6 | - | Employment in the Countryside |

Moreton-on-Lugg Development Brief (1999):

2.4 Herefordshire Unitary Development Plan (Deposit Draft):

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| Policy S1 | - | Sustainable Development |
| Policy S2 | - | Development Requirement |
| Policy S4 | - | Employment |
| Policy S6 | - | Transport |
| Policy DR1 | - | Design |
| Policy DR2 | - | Land Use and Activity |
| Policy DR3 | - | Movement |
| Policy DR4 | - | Environment |
| Policy DR5 | - | Planning Obligation |
| Policy DR6 | - | Water Resources |
| Policy DR10 | - | Contaminated Land |
| Policy DR12 | - | Hazardous Substances |
| Policy DR13 | - | Noise |
| Policy DR14 | - | Lighting |
| Policy E2 | - | Moreton-on-Lugg Depot |
| Policy T1 | - | Public Transport Facilities |
| Policy T3 | - | Protection and Development of Rail Network |
| Policy T4 | - | Rail Freight |
| Policy T8 | - | Road Hierarchy |
| Policy T9 | - | Road Freight |
| Policy T11 | - | Parking Provision |
| Policy T16 | - | Access for All |
| Policy NC1 | - | Nature Conservation and Development |

3. Planning History

- 3.1 SH95/107/SZ Certificate of Lawful Existing Use or Development for existing B8 use granted on the 14th February 1996. The CLOPD relates to specific buildings and land at the depot, the Romily huts and open areas on which storage has taken place. Land exempt from the certificate includes land to the north of the site that has been used for army training and land that has been wholly unused including parkland, coppice and other open areas.

4. Consultation Summary

Statutory Consultations

- 4.1 Highways Agency letter dated 13th November 2003. Following discussions between the Highways Agency and the developer's consultant team, we have reached an agreed position with regard to the extent of highway works and the related planning conditions needed for this site. Three conditions are set out which restrict the amount of B1 office space to be developed on the site to a maximum of 10,000m² gross floor area. The second condition relates to a requirement for the developer to enter into Green Travel Plans where more than 20 employees are proposed on the site and the final condition relates to improvements required to the existing vehicular access which includes improved visibility splays and turning facilities.
- 4.2 Environment Agency comments dated 19th December 2003. In a detailed response the Environment Agency suggest a number of conditions which should be attached to any planning permission the Local Planning Authority wish to grant. This includes a requirement for development to be in accordance with the approved Method Statement and to ensure any remedial works are carried out to the satisfaction of the Local Planning Authority.
- 4.3 English Nature letter dated 9th July 2003. The distance of the development from the River Lugg Site of Special Scientific Interest/Candidate Special Area of Conservation and the lack of any historic problem from this site leads English Nature to have few reservations over this proposal. The change to light industrial units as one option does offer a slight threat and English Nature wishes to see rigorous application of the appropriate safeguard with respect to the storage and handling of chemicals and materials if the scheme is accepted.

On a wider point of water management English Nature and the Environment Agency have long been passing for the adoption of a sustainable open drainage for such schemes where it is appropriate and we will commend such an approach to the Council. The Ecological Statement mentions water voles on the northern edge of the site but does not address any ecological enhancement for species. It is inconceivable that the applicant cannot address this enhancement within the scope of the site landscaping.

The applicant should be mindful of possible discovery of both badger and great crested newts on site. Clearly the applicant should be seeking to maximise environmental gain from this site both to enhance the environment of the industrial part and for "the greater good". In conclusion, English Nature see opportunity within this development to greatly improve this brownfield site and to take up higher environmental standards whilst adding valuably to the economic resources of the County.

- 4.4 Welsh Water letter dated 21st July 2003. Welsh Water object to this application as the proposed development would overload the existing sewage system. No improvements are planned within the Welsh Water's Capital Investment Programme. It may be possible for the developer to fund some accelerated provision of replacement infrastructure under Section 98-101 of the Water Industry Act 1991.
- 4.5 Transco have forwarded a response indicating the location of a gas pipe facility on part of the site and suggests safe digging practices in accordance with HS(G)47.

Internal Council Advice

- 4.6 Head of Engineering and Transportation (Transportation): there are no objections to the principle of the proposal, however the transport assessment accompanying the application does not fully address a number of the significant issues with respect to the Development Brief. This includes potential for access by rail, the routing of HGV's within the site, details regarding future Green Travel Plans, particularly in respect of plan administration targets and monitoring. It is also noted that the internal layout of the site will need more detailed consideration at the planning application stage, particularly with respect to access, road standards, parking provisions and turning and manoeuvring of large vehicles.
- 4.7 Chief Conservation Officer has suggested a number of conditions with regard to nature conservation and ecology and future landscape management of the site. At present a number of issues relating to the ecology remain outstanding and are currently being progressed.

Following initial trial trenching on site it is considered that no further archaeological work is required prior to determination and accordingly no objections are raised on this issue subject to the imposing of conditions DO1 and DO4 should permission be granted.

5. Representations

- 5.1 Wellington Parish Council: Councillors feel that the information provided is too vague for them to make a judgement and the effect on the traffic flow is unknown. They consider the junction to be inadequate for the present use of the site.
- 5.2 Herefordshire Nature Trust: the proposal has potential to affect Long Coppice, an area of semi-natural ancient woodland and Wellington Marsh, a special wildlife site. The proposal would result in the disturbance to the woodland of Long Coppice and represents a minor negative impact. In our opinion mitigation proposals could be suggested that would be likely to make the impacts of the development more acceptable, these include
- avoiding any heavy vehicular traffic through the wood and marsh.
 - storage of equipment and materials on site where chemicals do not drain directly into drainage ditches.
 - replanting disturbed areas with appropriate native species.

On the above basis we would recommend Herefordshire Council approve the development subject to the above.

- 5.3 The Forestry Commission: the application is within 500 metres of an ancient semi-natural woodland, however the scale of the proposal is such that there will be no affect on the woodland and consequently we have no comment to make on this occasion.
- 5.4 One letter of objection has been received from Mrs. J. Lane, Marsh Cottage, Wellington, Hereford, HR4 8DT. Concerns are expressed mainly on the basis of highway safety and additional traffic which would be created through redevelopment of the site. The A49 is already extremely dangerous and increased traffic numbers from this site will have a significant impact. This application must be considered in association with the Tarmac application which will also significantly affect the A49.

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

6. Officers Appraisal

- 6.1 Whilst this proposal is an outline application only with all matters except access being reserved for future consideration, there are a number of important issues which need to be carefully considered at this stage to ensure an appropriate form of development should permission be granted. The key issues in this instance are considered to be the principle of the proposed B1 and B8 uses for this part of the Moreton Park site, the access and highway issues associated with the site's development, the landscape and nature conservation issues associated with the scheme and the foul and surface water drainage arrangements which need to be provided to deliver a satisfactory form of development.

Principle of the Use

- 6.2 The depot as a whole (northern, central and southern sectors) is referred to within Part 1 of the South Herefordshire District Local Plan. The guidance provides for B1/B8 uses on the central and southern sectors which are the areas subject of this outline planning application. Part 2 of the plan deals with the application site in more detail as does the Moreton Park Development Brief (produced by the Herefordshire Council in 1999). That indicates that appropriate B1/B8 employment opportunities are encouraged on this site which do no compromise the economic development aims of the County as a whole.

Both the adopted Local Plan and the Development Brief recommend that a balanced approach to the site's redevelopment should be taken. It is important to note however that para. 3.3 of the Development Brief states that the Inspector presiding over the Inquiry into the South Herefordshire District Local Plan did not view this site as a new employment land allocation rather as recognition of an established land use. As such, he went on to add that there should not be no exacerbation or over provision on this brownfield site and that the site should be viewed as an addition to the stock of available business premises elsewhere in the district notably the Rotherwas Industrial Estate.

As submitted the application specify a maximum floor area for development on the site of 63,390m². However given that the application is in outline form only and that no detailed layout plans are proposed, it is not considered reasonable to approve a specific floor area allocation which could have significant implications for the future development of the site. In view of these concerns the applicant has agreed that the outline application should be for a B1/B8 uses only and that future reserved matters applications must be assessed on their own merit having regard to other development on the site. It should also be noted that B1 and B8 land uses generate both different numbers and types of vehicles to and from the site and that some form of condition controlling, particularly the B1 element is likely to be required in light of the site's potential capacity.

It is considered that the principle of a B1/B8 redevelopment of this part of the Moreton camp site accords with both the adopted South Herefordshire District Local Plan and the Development Brief for the site. This is on the basis that all other issues at this time are considered acceptable and can be reasonably controlled through conditions where appropriate.

Highway Issues

- 6.3 Given the site's direct access from the A49 (trunk road) the Highways Agency are the critical consultee with regard to traffic generation from the redevelopment of this site. In their latest letter (dated 13th November, 2003) they set out three conditions which they would like to see attached to any outline planning permission granted by this Authority. The first condition seeks to limit the B1 office element of the development to no more than 10,000m² gross floor area. As previously stated the parking and traffic generation associated with B1 and B8 uses can vary significantly, however B1 (office development) tends to generate significant private car movements and as such there is a requirement for more parking spaces. The restriction to 10,000m² should help restrict the private car movements to the site to enable the A49 to continue to work effectively.

In their second suggested condition the Highways Agency suggest that where future employers have more than 20 employees, they will be obliged to enter into agreement with Herefordshire Council to promote and coordinate a Green Transport Plan for their site. This again is intended to reduce the need for private transport to the site and increase opportunities for walking, cycling, public and private bus use, car sharing and any other initiatives that make a positive contribution to improving transport efficiency. Finally, the Highways Agency request improvement to the existing vehicular access to this part of the site prior to the occupation of any new premises. Basically this requires improvements to the right hand turning lane into the site and improvements to visibility to the south of the existing access. The plan submitted by the applicant's highway consultant to comply with this requirement shows that land outside the application site is required to fulfil the visibility improvements which will include the removal of a large roadside tree. The applicant has indicated that they are seeking to acquire the adjoining land in order to comply with the conditions requirements. They have also however written directly to the Highways Agency suggesting that the road junction improvements are only necessary upon completion or occupation of a certain level of the development. The Highways Agency have not yet commented on this matter and their response will be particularly important for this outline application.

Landscape and Nature Conservation

- 6.4 Both the landscape and nature conservation issues associated with the redevelopment of Moreton Park are particularly sensitive. In landscape terms there is no objection to the overall development and it is considered that the proposal generally conforms to the principles established by the adopted Development Brief. It is important however that an overall landscape master plan is required which would include long term maintenance and management of the site. Management plans are also required for the Long Coppice area which does not form part of the application site but is within the applicant's ownership.

The ecological report accompanying this application was considered as submitted to be insufficient in terms of detail and survey background to allow a proper assessment. Since that time further discussions and meetings on site have taken place with the Council's Conservation Officer who has suggested a detailed series of conditions are required for the development to take place. The applicant's consultant on ecology has responded (dated 4th December, 2003) making a number of views on the suggested conditions of the Council's Conservation Officer. Again, as with the highway issues further comments are awaited from this specialist consultee with a view to formulating any detailed and comprehensive conditions to ensure the sensitive ecology of this site is adequately dealt with and where possible enhanced.

Foul and Water Surface Drainage

- 6.5 In respect of land drainage the Environment Agency have been in detailed discussions with the applicant and the Agency's Groundwater Team who identified a need for further investigations in some potential risk areas on this former Ministry of Defence Depot. The Agency are satisfied that this can be dealt with through a condition requiring a Method Statement for further survey work and any required mitigation upon its completion. With reference to flood risk a condition is suggested from the Environment Agency to ensure there should be no buildings or structures including the raising of ground levels on the areas identified within the indicative flood plain map. This only relates to the northern tip of the site and does not directly affect the majority of the land subject to this outline application. The Agency also make a number of comments with regard to the opportunity for a sustainable urban drainage system from the site.

With reference to potential increases in foul water generation, Members will note the latest comments of Welsh Water (dated 21st July, 2003) who object to the development but state that developer may be able to fund improved infrastructure under Section 98–101 of the Water Industry Act 1991. This objection again relates to the current problems with capacity levels in the public sewer system in and around Hereford. The applicant's agent has indicated that Welsh Water are intending to build a pumping station but are concerned that at some stage that apart from the development to that pumping station will have to be upgraded. The applicant is willing to agree to a condition to provide the required infrastructure, however further comments from Welsh Water are considered necessary to ensure this is both feasible and a reasonable planning condition to impose on any outline permission granted.

- 6.6 This application involves significant redevelopment of this former Ministry of Defence Depot and has a number of complex issues which need to be satisfactorily addressed in order to bring the site forward for development. The principle of B1 and B8 uses on this site are firmly established in both the adopted South Herefordshire District Local Plan and the Council's own adopted Development Brief (1999). Whilst this establishes the principle for development of the site, it does not reduce or alter the complexity of some of the site specific issues outlined above. As Members will note detailed discussions have been continuing for a considerable period on those specific issues and at this time Officers are not in a position to offer a formal recommendation. However, in light of the application by Tarmac Limited on the land immediately to the north of this application site and the comments of the local Parish Council were clearly concerned about the implications of both applications on the local environment and highway network, a Committee site visit is recommended. This should enable Members to get a full and proper understanding of the issues associated with this application and allow for the outstanding comments required from internal and external consultees to be forwarded for Officers' consideration.

RECOMMENDATION

That Members of the Central Area Planning Sub-Committee undertake a site visit to consider the potential impact of this development on the character and appearance of the area.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.