

MEETING:	PLANNING COMMITTEE
DATE:	23 FEBRUARY 2011
TITLE OF REPORT:	<p>DMS/103017/F - NEW INDUSTRIAL UNIT TO SUPPLY MEDICINES AND FEED AT BUSINESS PARK ON LAND AT NEW LIVESTOCK MARKET, ROMAN ROAD, HEREFORD.</p> <p>For: Mr Jones per McCartneys, 7 Broad Street, Leominster, Herefordshire, HR6 8BT.</p>

Date Received: 17 November 2010 Ward: Credenhill & Three Elms Grid Ref: 347555,242255

Expiry Date: 20 January 2011

Local Members: Councillors RI Matthews, PA Andrews, SPA Daniels and AM Toon

1. Site Description and Proposal

- 1.1 The new Livestock Market site is located to the south of the A4103 (Roman Road) to the north west of Hereford City. The new Livestock Market is currently under construction in a central position of the parcel of land. The application site relating to this proposal is a plot of land 2000 sqm in size, located immediately north of the cattle market building. This site is currently being used as the site compound for the Livestock Market development and as such has already been cleared and temporarily hardsurfaced.
- 1.2 The site would be accessed via the newly constructed access road into the site and is to the east of this.
- 1.3 The proposal is for the erection of a single two storey building that has a footprint of 21.8m by 15.2m (inclusive of canopy over external racking area). The external materials proposed are brick to ground floor with grey panelling above with a grey roof panel system, including rooflights. The eaves height of the building would be 5m with a ridge height of 6.63m.
- 1.4 Both the north and west elevations would benefit from entrance doors and signage with the main entrance proposed to the west elevation fronting the internal access road.
- 1.5 Externally the site would accommodate an external sales area, parking spaces for 19 vehicles (including disabled spaces and some larger spaces) for staff and customers. The site also provides an area for deliveries and unloading within the secure area to the rear of the building.
- 1.6 The applicant is currently located on the existing Livestock Market and supplies the agricultural trade with animal feed and medicines as well as providing specialist advice to farmers on the welfare of their animals.
- 1.7 For clarification, despite the description as a business park, this application relates to one building only and makes no provision for any proposed future similar developments.

Further information on the subject of this report is available from Ms K Gibbons on 01432 261781

2. Policies

2.1 National Planning Policy:

PPS1	-	Delivering Sustainable Development
PPS4	-	Planning for Sustainable Economic Growth
PPS9	-	Nature Conservation
PPS25	-	Development and Flood Risk

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
S4	-	Employment
S6	-	Transport
S7	-	Natural and Historic Heritage
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR5	-	Planning Obligations
DR7	-	Flood Risk
DR13	-	Noise
DR14	-	Lighting
LA2	-	Landscape Character and Areas Least Resilient to Change
LA6	-	Landscaping Schemes
NC1	-	Biodiversity and Development
TCR19	-	Hereford Livestock Market - Relocation

3. Planning History

- 3.1 DCCW2008/0262/F Proposed construction of replacement livestock market with associated car and lorry parking. Approved with Conditions 9 November 2009.
- 3.2 S103326/AM Proposed construction of replacement livestock market with associated car and lorry parking (Non-material amendment to planning permission DCCW2008/0262/F). Approved 4 January 2011.

4. Consultation Summary

- 4.1 Environment Agency: No comments to make on this application. There is only a minimal amount of car parking spaces proposed and it is not a major aquifer at this location. I note that the applicant is to utilise the Livestock Market surface water drainage system.

Internal Consultees

- 4.2 Traffic Manager has no objection.
- 4.3 Public Rights of Way Manager confirms that the proposal will not affect the Public Right of Way.

5. Representations

- 5.1 Hereford City Council: Raises no objection.

- 5.2 Ramblers Association: Comments that the plans do not show how this footpath will negotiate the new building entrance and requests that the developer is aware there is a legal responsibility to maintain and keep clear the Public Right of Way.
- 5.3 Open Spaces Society: Queries the accuracy of the plans and requests that we confirm matters with the Public Right of Way Manager.
- 5.4 Hereford Futures: Hereford Futures would urge the local planning authority to have regard to the significant contribution this established agricultural business makes to the numerous rural enterprises that it services and supports. Furthermore the relocation will positively enhance the vitality and viability of the new Livestock Market. The investment is welcomed and Hereford Futures support the application.
- 5.5 Letters of objection have been received from Mr and Mrs Hilder, 1 Veldifer Cottage, Roman Road who comment as follows:
- Concern relating to the description as a “Business Park”.
 - Notes that the site is not within the Cattle Market boundary and object to this development because it represents a further encroachment onto a green field site for a business that is not essential to the operation of the livestock market.
 - The operation of the proposed business will affect our amenity adversely. Our amenity will be affected by traffic movements, noise and light pollution.
 - The development will cause pollution of the environment.
 - The proposed development is on land covered by a Covenant which was varied to allow the livestock market. We believe this planning application relates to a business that is very different from the livestock market and not permissible under the Covenant.
 - Should the Council reject our objections we expect to have discussions with respect to conditions as follows:
 - construction: similar restrictions and conditions in line with those for the market site;
 - landscaping: as this site is outside the market site then we want similar bunding and tree planting as that for the market site to reduce the impact of the site on our amenity;
 - environmental protection: the same environmental protection measures as apply to the market site;
 - hours of business: you have provided information but we would expect the times to be enshrined in conditions;
 - Drainage: we await the EA. We would expect the same level of protection as the market site is having to achieve;
 - Traffic movements: you have provided information. Again this detail should be a condition to prevent expansion of the business without the need for full planning permission;
 - on-site operations particularly relating to noise, dust and vermin control: all these need conditions. For example, the landscaping condition referred to above is also required to reduce noise (forklift trucks for instance loading/unloading pallets).

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

6. Officer's Appraisal

6.1 The main issues for consideration are:

- The Principle of Development
- Impact on the Character and Appearance of the Locality
- Impact on the Amenities of Neighbouring Properties
- Highway Safety and Parking
- Drainage

The Principle of Development

6.2 Policy TCR19 of the Herefordshire Unitary Development Plan was key to the relocation of the Livestock Market that is currently under construction with an anticipated opening later this year. This policy states that the site is restricted for use as the new Hereford Livestock Market and necessary ancillary uses only.

6.3 The applicant currently trades from the existing Livestock market with the use strongly and predominantly linked with agriculture, in particular the supply of feed and medicines for livestock as well as providing animal welfare advice. It is evident that there are significant amounts of linked trips with farmers visiting the market whilst also utilising this retail unit and its services. It is your officers' opinion that this is a necessary ancillary use to the primary function of the site as a Livestock Market and as such meets the requirements of Policy TCR19.

6.4 To ensure that this building continues to be used for suitable, necessary ancillary uses in the future a condition is recommended restricting the use.

Impact on the Character and Appearance of the Locality

6.5 The livestock market building and associated works are positioned in a central position and because of its size and scale has quite a significant visual presence in the locality. A substantial landscaping plan will compliment the development and mitigate its impact, although it is clearly impossible to disguise it. The proposed building and associated hardstanding would be sited in close proximity to this building. The cattle market building is 11m in height compared to the 6.63m ridge height of this proposed building. The building will be subservient in size and scale and will clearly read as part of the site as a whole, rather than as a stand alone development. The building is sited just in front of the livestock market building, some 130m back from the highway. Its position will act as a subtle focal point on entrance, and the buildings dual aspect design will promote this. The design of the building is simple in form, and relates well in materials to the Livestock market and its surroundings.

6.6 A condition requiring the submission of landscaping plans that would aim to compliment the approved landscaping scheme for the wider site is suggested to ensure that the building and associated external areas have the appropriate mitigation and that this site blends within the context of the Livestock Market as a whole. As such the proposal is considered to comply with Policies LA2 and TR19 of the Herefordshire Unitary Development Plan.

Impact on the Amenities of Neighbouring Properties

6.7 The building itself will have no adverse impact upon the amenities of adjoining residential properties. The main concern relates to the potential for noise, disturbance or pollution above and beyond that the Livestock Market may generate.

- 6.8 The opening hours of the proposed unit would be standard opening from 8.30am – 5.00pm Monday to Friday and 9am to 12pm on Saturday morning. All deliveries would take place during these opening hours. It would be closed on Sundays and Bank Holidays. There are no ‘hopper’ style feed containers used that could cause disturbance. The Livestock Market is restricted to being open to customers outside of the hours of 6am and 10pm (daily) but it is unlikely that this will be fully operational as a Livestock Market on a daily basis at this time. To protect the local residents from the potential for noise and disturbance, in particular from deliveries, a suitably worded condition is suggested to restrict hours of opening and times of delivery to being within the hours of 8am and 5.30pm, Monday to Friday, 8.am to 1pm on Saturdays with no opening on Sundays or Bank Holidays.
- 6.9 Light pollution could also cause nuisance and as such a condition requiring details of lighting, as well as the times that lights will be on (and where) is suggested.
- 6.10 To ensure that any waste and refuse is safely stored, and in the interests of the local environment a condition is recommended to allow for the agreement of detail.
- 6.11 A condition restricting hours of working during construction is also recommended, as is details of the site compound, to ensure that this would not disturb neighbouring residents.

Highway Safety and Parking

- 6.12 The site already benefits from a newly constructed access road and junction that also serves the Livestock Market. This, along with the immediate highway network, is considered to be sufficient to absorb the additional traffic that may be attributed to this development. However, it is expected that the vast majority of trips will be linked with trips to the Livestock Market (as happens at the present site).
- 6.13 There will be good pedestrian links from the Livestock Market car park to the application site and more than sufficient parking and turning space within the application site. The Transportation Manager raises no objection to this proposal. As such it is considered to comply with Policy DR3 of the Herefordshire Unitary Development Plan.

Drainage

- 6.14 Foul and Surface water drainage were very complex and well considered matters with the Livestock Market application. As a result a drainage scheme was agreed. The proposed development would connect to this surface water drainage system. The applicants have confirmed that there is adequate capacity to do this and the Environment Agency raise no objection to this. For clarification purposes, a condition requiring details is recommended. On this basis the proposal is considered to comply with Policy DR7 of the Herefordshire Unitary Development Plan.

Archaeology

- 6.15 The livestock market application also raised interest from an archaeological perspective and a condition was imposed. It is suggested that a condition is attached to the permission to allow observation of the excavations.

Conclusion

- 6.16 The proposed development is considered to be a small scale retail development designed to serve the needs of the users of the new livestock market in accordance with the requirements of policy TCR19. Its design and siting would be considered satisfactory and a suitable landscaping scheme would help to assimilate the development into the wider site. Whilst the

use proposed is unlikely to harm the amenities of the local residents, conditions are recommended to protect their amenities in the future. Having regard to the above, it is your officer's opinion that the proposal is satisfactory and in accordance with the policies of the Herefordshire Unitary Development Plan. As such is recommended that planning permission be granted with conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. C01 Samples of external materials**
- 4. F02 Restriction on hours of delivery**
- 5. F03 Restriction on hours of opening**
- 6. F06 Restriction on Use**
- 7. G10 Landscaping scheme**
- 8. G11 Landscaping scheme - implementation**
- 9. G15 Landscape maintenance arrangements**
- 10. H13 Access, turning area and parking**
- 11. H16 Parking/unloading provision - submission of details**
- 12. H29 Secure covered cycle parking provision**
- 13. H20 Road completion in 2 years**
- 14. I16 Restriction of hours during construction**
- 15. I20 Scheme of surface water drainage**
- 16. I26 Interception of surface water run off**
- 17. I25 Bunding facilities for oils/fuels/chemicals**
- 18. I33 External lighting**
- 19. I41 Scheme of refuse storage (commercial)**
- 20. E03 Site Observation – Archaeology**

Informative:

- 1. N15 Reason(s) for the Grant of PP/LBC/CAC**

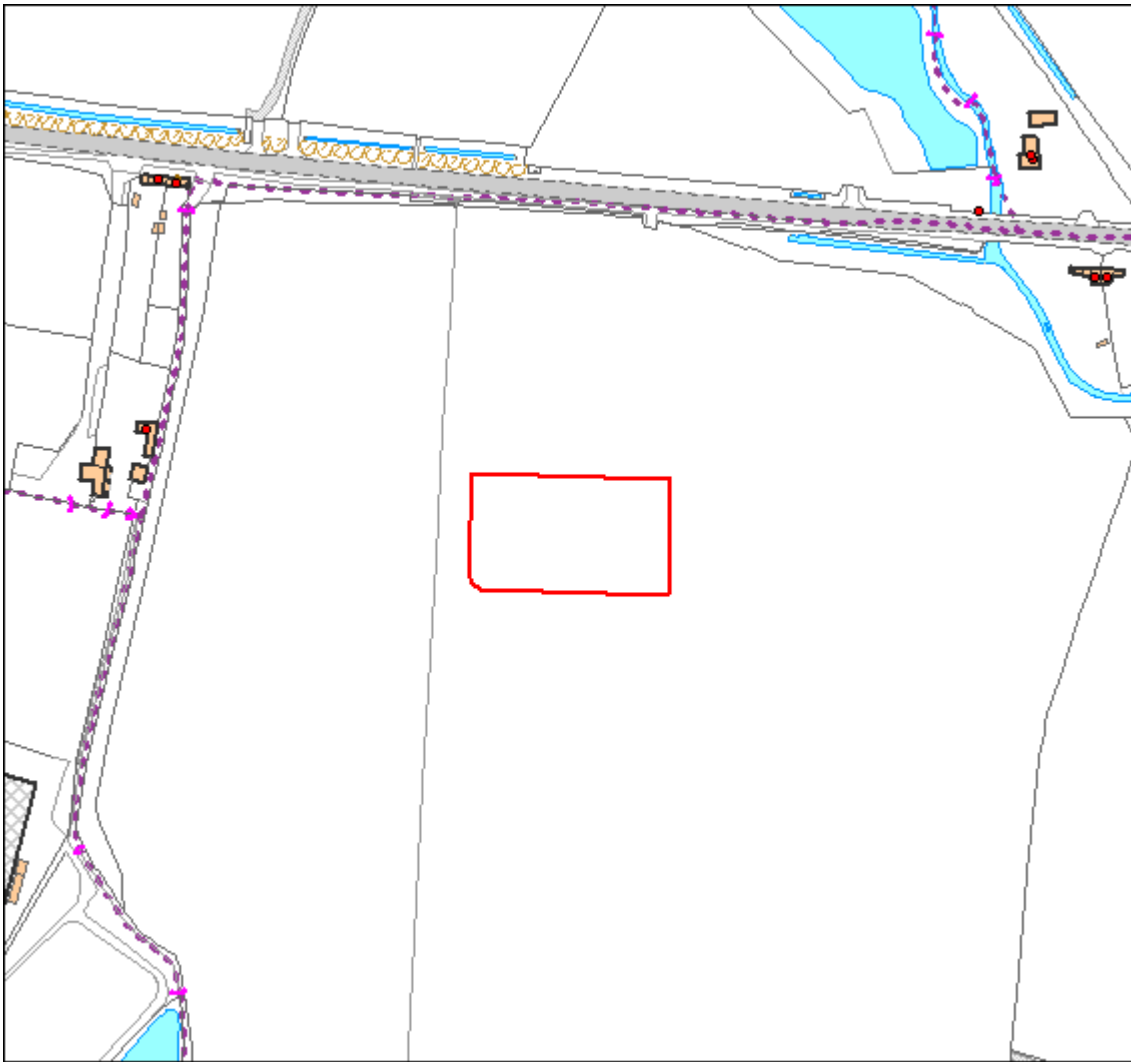
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/103017/F

SITE ADDRESS : BUSINESS PARK ON NEW LIVESTOCK MARKET, ROMAN ROAD, HEREFORD

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