

MEETING:	PLANNING COMMITTEE
DATE:	13 MARCH 2013
TITLE OF REPORT:	<p>S123075/O - SITE FOR B1(C) LIGHT INDUSTRIAL, B2 GENERAL INDUSTRY AND B8 STORAGE AND DISTRIBUTION USES, TOGETHER WITH MOTOR VEHICLE SHOWROOM, ANCILLARY NURSERY, ACCESS AND ASSOCIATED WORKS INCLUDING DEMOLITION OF REDUNDANT BUILDINGS AT MORETON BUSINESS PARK, MORETON-ON-LUGG, HEREFORDSHIRE, HR4 8DS</p> <p>For: Mr Horner per Delta Planning, 1 Chester Court, 1677A High Street, Knowle, Solihull B93 0LL</p>
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=123075&NoSearch=True

Date Received: 1 November 2012

Ward: Sutton Walls

Grid Ref: 350192,246455

Expiry Date: 31 January 2013

Local Members: Councillors KS Guthrie & AJM Blackshaw

1. Site Description and Proposal

- 1.1 The site extends to 21.26 hectares of predominantly brownfield land immediately east of the A49 trunk road and north of Moreton on Lugg. To the north of the site is the sand and gravel quarry operated by Tarmac, east is agricultural land with Marden beyond; and west of the access is a farm known as Brookhouse Farm. The site was an MOD base until the late 90's when some of the former military buildings were demolished with the remaining buildings having been refurbished over the last ten years now all in employment use. The current employment floorspace on site totals 61,000 sq. metres, all of which is occupied. Around 75% of the floorspace is presently use class B8 (storage and distribution) with a large proportion of this being occupied by the company M&M Direct. Access is gained directly off the A49, which was upgraded in 2006 and serves a network of internal roads intersected by various areas of informal grass and mature trees. Part of the development area adjacent the A49 is also currently agricultural pasture land and part of the southern end of the site is a poplar tree plantation.
- 1.2 The River Lugg Special Area of Conservation and Site of Special Scientific Interest runs parallel with the site, approximately 750 metres to the east. The woodland adjoining the north east corner of the site known as Long Coppice is designated an Ancient Woodland and to the north is Wellington Marsh Special Wildlife Site. Parts of the site along Moreton Brook and the eastern boundary fall within floodzone 3. Land adjoining the site to the east and within the site to the south is also an area of safeguarded mineral reserve.
- 1.3 The proposal seeks outline planning permission to construct 51,000 sq metres (548,977 sq feet) of mixed use class employment floorspace across a 21 hectare site area. The business park area incorporating existing buildings which are excluded from the application site would then amount to around 28 hectares (70 acres). All matters are reserved except means of

Further information on the subject of this report is available from Mr R Pryce on 01432 260288

access. More specifically, the proposal includes a new masterplan for the site identifying eight development zones proposing a mixture of use class B1(c) light industrial, B2 general industrial and B8 storage and distribution with ancillary offices. Additionally, one of the zones is identified for a vehicle showroom and a children's nursery is also proposed to serve the business park.

1.4 The application is accompanied by a number of technical reports as follows:

- Design and Access Statement,
- Transport Assessment and Non Motorised User Safety Audit
- Planning Statement,
- Flood Risk Assessment including a hydraulic modelling report,
- Drainage Strategy Report,
- Archaeological Evaluation,
- Tree Survey Report,
- Ecological Survey including species specific surveys ,
- Landscape and Visual Impact Assessment,
- Framework Travel Plan.
- Geo-environmental Report

Additionally, the future development of the site is supported by an illustrative Masterplan, a Development Parameters Plan and a Landscape Masterplan.

1.5 The development was also screened against the Environmental Impact Assessment Regulations on 14th March 2012 to establish whether an Environmental Impact Assessment (EIA) was required where it was concluded that proposal was not an EIA development.

2. Policies

2.1 Regional Spatial Strategy for the West Midlands

2.2 National Planning Policy Framework (NPPF)

Paragraph 14	The presumption in favour of sustainable development
Section 1	Building a strong and competitive economy
Section 3	Supporting a prosperous rural economy
Section 4	Promoting Sustainable Transport
Section 10	Meeting the challenge of climate change, flooding and coastal change
Section 11	Conserving and enhancing the natural environment
Section 12	Conserving and enhancing the historic environment

2.3 Herefordshire Unitary Development Plan

S1	Sustainable Development
S2	Development Requirements
S4	Employment
S6	Transport
S7	Natural and Historic Heritage
S11	Community Facilities and Services
DR1	Design
DR2	Land Use and Activity
DR3	Movement
DR4	Environment
DR5	Planning Obligations
DR7	Flood Risk
DR10	Contaminated Land

DR13	Noise
DR14	Lighting
E2	Moreton on Lugg Depot
E5	Safeguarding Employment Land and Buildings
E8	Design Standards for Employment Sites
E15	Protection of Greenfield Land
T1	Public Transport Facilities
T4	Rail Freight
T5	Safeguarding former Railway Land
T6	Walking
T7	Cycling
T8	Road Hierarchy
T9	Road Freight
T11	Parking Provision
LA2	Landscape Character
LA5	Protection of Trees, Woodlands and Hedgerows
LA6	Landscaping Schemes
NC1	Biodiversity and Development
NC3	Sites of National Importance
NC4	Sites of Local Importance
NC5	European and Nationally Protected Species
NC6	Biodiversity Action Plan Priority Habitats and Species
NC7	Compensation for Loss of Biodiversity
NC8	Habitat Creation, Restoration and Enhancement
NC9	Management of Features for the Landscape Important for Fauna and Flora
ARCH 1	Archaeological Assessment and Field Evaluations
ARCH 6	Recording of Archaeological Remains
M5	Safeguarding Mineral Reserves
W11	Development and Waste Implications
CF2	Foul Drainage

2.4 Other Guidance

Supplementary Planning Documents:

Landscape Character, Planning Obligations, Biodiversity, Design and Archaeology,

Employment Land Study (December 2012)

Moreton on Lugg Development Brief (April 1999)

2.5 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

3.1 Extensive planning history exists over the last 20 years or so. Notable decisions include:

- DCH952915/U Certificate of Lawful Proposed Use for Storage, Warehousing, Distribution Centre and Offices – Approved 19th July 1996
- DCC/033618/F - New cladding, alterations to existing building and new car parking, Approved 29th March 2004

- DCC/082239/F – Erection of 80,000sq feet warehouse for storage and distribution, Approved 17th October 2008
- S102977/F - Erection of light industrial unit, approved 31st January 2011

4. Consultation Summary

Statutory Consultees

4.1 Highways Agency

Many of the agencies previous comments have been addressed but several issues remain outstanding as follows:

- Additional information is required on the sustainable transport proposals
- Additional information is required on the drainage proposals
- The Starting Gate roundabout needs to be assessed
- Committed traffic from the Crest development needs to be considered
- The policy section needs to consider the Guidance on Transport Assessment (GTA) 2007 and Circular 02/2007 published by the Department of Transport
- Confirmation of whether the site is to be used as a car park, share and park and park and a cycle base
- There are several points within the framework travel plan requiring clarification and additional information.

The Highways Agency currently has insufficient information to provide a substantive response and therefore directs non approval of the application for a period of 3 months to give the applicant time to submit the required information.

The further information requested above has now been submitted to the Highways Agency and their further comments are awaited.

4.2 Environment Agency

- Comprehensive hydraulic modelling of Moreton and Auberrow Brooks has been carried out and extensive sensitivity testing provided. The flood map for the River Lugg is due to be updated later this year and therefore historic flood records have been used. This combined analysis identifies the 1 in 100 year floodplain primarily extending to the southern side of Moreton Brook which may partly or wholly be caused by the existing restricted bridge over the watercourse. Subject to testing, upsizing the bridge culvert, constructing a clear span bridge and/or widening the brook corridor may assist in reducing the floodplain in this area.
- We are satisfied with the layout from a flood risk perspective as all built development is now located out of the high risk flood zone.
- We have no objection to the surface water attenuation scheme subject to there being no increased flood risk arising from discharges from the site.
- We have no objection to the proposed foul drainage arrangements
- Pollution prevention measures should be incorporated to protect ground and surface water and further invasive site investigation will be required to establish the presence or otherwise of contamination and the risk of new pollution pathways being created to watercourses.

Subject to a condition requiring further site investigation to deal with any contamination, we have no objection to the development.

4.3 Natural England

Natural England advises that the proposal is not likely to have a significant effect on the interest features for which the River Wye SAC has been classified. Natural England therefore advises that the Council is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives. There is also not likely to be any adverse impact on the SSSI.

The proposed development is likely to affect bats through the destruction of a breeding site or resting place. We are satisfied however that the proposed mitigation would maintain the population identified in the survey report. A species licence may be required from Natural England to enable some parts of the development to proceed.

This proposal presents the opportunity to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats, the installation of bird nest boxes or the use of native species in the landscape planting. We recommend that should the Council be minded to grant planning permission, measures to enhance the biodiversity of the site are secured from the applicant.

Natural England has no objection to the proposed development

4.4 Welsh Water

Moreton on Lugg Sewage Treatment Works has capacity to accommodate the additional flow and load that will be generated by the development and discharge consent conditions will remain the same. Welsh Water raises no objection to the development on drainage and water supply terms subject to conditions concerning foul and surface water drainage.

4.5 River Lugg Internal Drainage Board

- The development is located near to Moreton Lateral 1 and Moreton watercourse passes through the site. Obstructions are not permitted within 6 metres of these watercourses.
- The suitability of the ground conditions for surface water soakaways should be established.
- High water tables are experienced in this general area which may adversely affect any surface water drainage arrangements
- No additional surface water runoff is permitted into the watercourse without the obtaining Land Drainage Consent from the Board.

Internal Council Advice

4.6 Traffic Manager

The Transport Assessment (TA) which now includes an assessment of the Starting Gate roundabout shows there will be a slight detrimental impact on the A4103 compared to the current situation. However, when the Highways Agency pinch point scheme for Starting Gate roundabout, which will increase capacity of the roundabout, is completed, the impact of the proposals would be considered acceptable. The occupation of the development may have to be phased to tie in with the completion of these highway works.

The Travel Plan indicates a proposed cycle/footway link along the eastern verge of A49 to Moreton on Lugg extending into site at the south western corner. This is considered highly desirable to encourage sustainable travel but should also be extended through the site and/or consideration given to an alternative entry point further north.

Comments regarding parking provision and general internal layout will be given at detailed/reserved matters stage, but I would comment that the internal infrastructure would

need to comply with our Highways Design Guide for New Developments and that this may require alterations to existing roads within the estate.

4.7 Economic Development Manager

We would consider Moreton Business Park as a long term strategic employment location which given its excellent location on the Trunk Road network and close proximity to the north of the city has considerable tenant and employment potential. This Business Park is primarily a brownfield site with an extant rail freight connection to the Shrewsbury to Newport railway line. This rail link should be seen as a strategic asset for the county and is currently in use and providing associated transport and economic related benefits.

Following the sale of this former military site over ten years ago, the new owners of Moreton Business Park have, through private funding, provided a range of quality employment units for businesses looking for accommodation to the north of the city and surrounding rural areas. We understand that all units are currently occupied and that there is currently a waiting list of interested tenants.

Following requests by some existing occupants wanting to expand and the desire to attract further businesses, the owners have sensibly prepared a master plan for the long term development of the site which includes some recently acquired land as well as undeveloped land within the former military facility.

Some of this land is outside the present employment allocation identified in the former Unitary Development Plan adopted in 2007. However, the additional land would allow the opportunity for the provision of a broader range and size of units to be provided over time and cater for those businesses whose activities may not fall within the criteria specified for the Enterprise Zone or whose accommodation requirements cannot be met on other existing employment sites in and around Hereford.

We also consider the owners significant expansion and investment proposals to be very welcome in an economic environment where private sector investment in employment land and buildings is becoming rarer and there is increasing pressure on employment allocations for release as an alternative use.

As a consequence we encourage and support proposals such as this which look to bring forward significant strategic sites where employment uses are proposed alongside a number of ancillary and supporting uses.

We are aware that there are limited employment land development opportunities within Hereford; in particular to the north of the River Wye, and that the available employment units are predominantly of an average to poor quality with limited new build units on the market. This proposal will bring forward a significant amount of newly built employment units, in a range of sizes, which will help address the current supply and quality issues.

We welcome that the proposals look to include a small amount of B2 use within the masterplan and would consider that this would allow a certain amount of flexibility to be offered to prospective tenants. We also welcome the layout and landscaping parameters within the masterplan, these combine to create a parkland type environment which is aimed at the upper end of the quality range.

In summary the Economic Development team are supportive of the application and would recommend approval.

4.8 Land Drainage Engineer

Based on the information in the FRA, drainage reports and hydraulic modelling report submitted with the applications, the position in terms of flood risk and drainage is as follows:

The hydraulic modelling report more accurately defines the 100yr +cc floodplain. Consequently and as recommended in the report, the siting of buildings has been amended in the southern area to remove all out of the zone 3 area.

The FRA proposes to remove the existing culvert within the site (which appears to be a contributory factor to the larger zone 3 area) and replace with a new bridge which can then also deliver flood free access to the southern part of the site – we will need to see these proposals at the detailed design stage.

The reports indicate that ground conditions can support infiltration drainage designed to greenfield runoff rates and the implementation of pollution prevention measures is commended. Existing groundwater is to be managed with new filter drains and some attenuation may be required which is acceptable in principle and we will need to review the calculations at the detailed design stage.

4.9 Conservation Manager (Landscape)

Landscape and visual Impact

The Landscape and Visual Impact Assessment is a well considered document, covering all relevant landscape points in a clear and systematic presentation and I agree with the key points of this assessment, namely:

- The existing landscape value and quality is 'ordinary' and the landscape sensitivity is low, as most of the site is not locally distinctive or contributing to the wider landscape character.
- The introduction of new buildings and infrastructure, together with increased traffic and people once in use, does represent an identifiable change, however the magnitude of this change will be off-set by improved management and enhancement of the existing landscape features.
- The significance of the landscape impact is considered to be low as the character is already that of a business estate and the proposals will suitably fit into the scale, landform and pattern of the existing landscape setting.
- The visibility is restricted by surrounding landform, existing buildings and vegetation and that there are no locations where the whole business park can be seen at the same time.
- There will be some medium significant visual changes for nearby residential properties; however the introduction of additional buildings in to this context will not alter the fundamental visual character of the area from most public viewpoints.

Trees

- The tree survey is well presented, is clear and useful.
- One of the largest landscape changes will be the felling of the poplar stand at New Coppice. It is noted in the survey, however, that this area suffers from close spacing, is unlikely to be of any commercial value and any disturbance will likely lead to high rates of wind damage. It is accepted, therefore, that this area can be considered for alternative land uses and replanted with appropriate woodland mixture.
- The presence of a culturally significant Lucombe oak is noted and the recommendations for taking cuttings or collecting seed should be followed through. The management issues raised should also be taken forward in the future.
- The identification of important tree zones is welcome, together with the retention of many existing trees within the site masterplan. It is noted, however, that at least two A class trees appear to be shown for removal within zone G (501463 11 and 501463 16,

both sycamore). The building footprint and car park arrangement for this area should be reconsidered at the detail design stage to retain these trees if possible.

Landscape Masterplan

- The illustrative landscape masterplan shows a best practice approach to green infrastructure. The strategy and framework clearly derive from the landscape and visual impact assessment, together with tree and ecological survey recommendations. It provides a good combination of amenity and biodiversity areas. The aim to '*design a scheme layout with minimum 40% green infrastructure to preserve as much habitat and linkages through the site as possible*' is noted and should be followed through in all future development stages and reserved matters.
- I agree that this represents a strong and well considered landscape framework that maximises the opportunities for visual and landscape enhancement. This will result in a Business Park that is well integrated into its existing context and provides an attractive and ecologically diverse place of employment.

Conclusion

I support this planning application and recommend conditions covering tree protection details, hard and soft landscape scheme, including boundary treatments and landscape and ecological management plan

4.10 Conservation Manager (Ecology)

There are a number of habitats and species present at the site, most of which will not be affected by these development proposals; however, a low to medium scale impact is anticipated as a result of the loss of habitat to the south of the Moreton Brook. The following are the key ecological issues that have been identified:

- Long Coppice, to the northeast of the site, is ancient semi-natural woodland and will be retained and protected. Bat and bird boxes are to be installed in this area.
- The Moreton Brook flows through the site; this is undesignated, but is a tributary of the River Lugg SSSI which is part of the River Wye SAC. The brook will need to be protected during and post construction to ensure no negative impacts on associated species and water quality.
- There will be a loss of 4 ha of grassland and woodland habitats to the south of Moreton Brook but this is to be mitigated and compensated for with the inclusion of wildflower meadows, native tree and shrub planting where appropriate and construction of a new pond.
- Reptile surveys have been undertaken, but no evidence of their presence was found.
- Great crested newts are present in the ponds to the north, but only smooth newts are present on the development site; an appropriate mitigation strategy is proposed to avoid harm as well as enhancement of habitats for amphibians post-development.
- A number of common bird species were recorded at the site including house sparrow, house martin, song thrush and starling. There will be some loss of habitat for birds, but the landscaping scheme includes features to provide nesting and foraging opportunities.
- At least six bat species were recorded, with foraging areas identified adjacent to Long Coppice, along the brook corridor and across the habitats to the south of the brook. Common pipistrelle bats are roosting in one of the small buildings that are to be demolished and mitigation is proposed with the provision of bat boxes and the supervision of any demolition works.

If European Protected Species are present on a development site, the Local Planning Authority must establish whether the three tests have been met prior to determining this application. If the Wildlife Licensing Unit at Natural England is also happy that these Tests have been satisfied, then an EPS development licence can be granted.

The three tests that must be satisfied are:

1. That the development is “in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
2. That there is “no satisfactory alternative”
3. That the derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range”

The mitigation for the loss of a common pipistrelle bat roost at the site is appropriate to maintain roosting provision for this species.

The application is supported and I recommend the inclusion of conditions requiring the habitat protection works, ecology working method statements, an ecological clerk of works and delivery of the recommendations in the ecology report.

4.11 Conservation Manager (Archaeology)

Despite being in a very sensitive location, the proposed development will in general have a very limited impact on below ground heritage assets. In one limited location (just to the north of the access), the development will directly impinge on the location of a Romano-British farmstead. However, this impact can be satisfactorily mitigated by a prior archaeological excavation in that location. The application is therefore supported.

4.12 Environmental Health and Trading Standards (Noise)

No objection subject to conditions requiring details of external lighting across the site and measures to control noise within zones G and H to include a BS 4142 noise assessment.

4.13 Environmental Health and Trading Standards (Contamination)

The application was submitted with phase 1 geo-environmental assessment which recommends an intrusive investigation will be required. A condition is therefore recommended requiring this site investigation and if required, a scheme of remediation.

4.14 Minerals and Waste Officer

No comments received.

5. Representations

5.1 Moreton Parish Council

The parish council recommends the application be refused on the following grounds:

- a) Zones C, D and H are outside the scope of the Unitary Development Plan, and as such Herefordshire Council should consider whether an increase in the area allocated for industrial and business development needs to be extended as proposed in this application.
- b) The parish council understands that Zones C and H are still designated as agricultural land, so would like to see an application for change of use before the main application is considered.
- c) The proposed cycle path could lead to residents of the village and others using a route from the play park on the edge of the village to join the cycle path via private land.
- d) The parish council regrets the loss of the pond on the site that was originally envisaged.

5.2 Wellington Parish Council

The Parish Council would like to support the application as it will bring much needed employment to the local area. The Council noted that there would be a need for careful traffic management in terms of safety issues on the A49 because of increased traffic into and out of the site and we trust that this will be addressed as the project progresses.

- 5.3 Two objections have been received from Colin Payne, 3 Ordnance Close, Moreton and Mr Pudge of Brookhouse Farm, Moreton. The main points raised are:
- Zones C and H are agricultural land and alongside zone D are outside of the UDP boundary
 - The cycle path may lead to residents within the village wishing to cut across private land to access the path – direct access between the site and village should be provided to the east.
 - The central turn lane to Brookhouse Farm, which comprises of 11 dwellings and a working farm is already too narrow and short and any increase in traffic will make it extremely dangerous
- 5.4 A letter of support has been received from Nick Williams of Ordnance Close, Moreton. The main points raised are:
- The development will be a good thing because it will create local jobs, generate inward investment and create additional services.
 - The screening trees will help minimise the visual impact and will help with noise.
 - The footpath link from the site should be continued to connect with the village and additional screening should be planted south of the M&M building to screen this from Ordnance Close.
- 5.5 The consultation responses can be viewed on the Council's website by using the following link:-
www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

6.1 The issues relevant to the consideration of the application are as follows:

1. The Principle, Development Areas, and Proposed Uses
2. The Masterplan, Trees, Landscape
3. Development Parameters and Design
4. Access and Transportation
5. Flood Risk and Drainage
6. Biodiversity
7. Other Matters – Archaeology, Residential Amenity, Section 106, Contamination,
8. Conclusion

The Principle and Proposed Development Areas

- 6.2 Moreton Business Park is the county's second largest employment site in area terms and therefore its strategic importance in maintaining and creating employment opportunities is significant. Historically, the site has been split into 3 sectors, the northern sector is now largely the area where the quarrying activities are taking place and the central and southern sectors and now broadly the land subject of this application.
- 6.3 Saved Unitary Development Plan (UDP) policy E2 specifically relates to Moreton Business Park was informed by the development brief prepared for the site in 1999. Policy E2 confirms

the suitability of the site for employment purposes. At the time the policy was written, the emphasis in the first instance was on the re-use of the existing buildings on site for B1 (light industrial) and B8 (storage and distribution) uses as these uses tallied with the original use of the site as an MOD base. Over the last ten years, all existing buildings that were fit for modern employment purposes have been refurbished and modernised and a small number of new industrial buildings have been constructed.

- 6.4 Policy E2 also supports employment development beyond the re-use of the existing buildings including other employment uses - namely B2 (general industrial) where they do not:
- a) unduly erode areas of landscape value,
 - b) prejudice the future development of the site as a whole and
 - c) adverse impact on residential amenity.

Additionally, the policy requires development proposal to be accompanied by a flood risk assessment, include suitable landscaping and measures to improve access by employees by alternative means of transport.

- 6.5 Therefore, subject to compliance with the site specific technical requirements such as flood risk and landscaping, the principle of new mixed light industrial, general industrial and storage and distribution with ancillary offices is supported by UDP policy E2 and the NPPF.

- 6.6 Part of the site area also extends beyond the employment zone identified within the UDP. These areas relate to an agricultural field north of the access adjacent the A49 and land south of Moreton Brook adjacent to Moreton on Lugg village totalling around 4.7 hectares (net developable area). These areas are open countryside in planning policy terms and their development would be in conflict with policy E2. Whilst UDP policies E10 and E11 concerning employment development adjoining main villages and in open countryside are relevant, they are primarily aimed at enabling small scale employment within or adjoining a settlement. There is therefore no specific UDP policy that is applicable to this situation where development is proposed on agricultural land beyond the allocated employment zone but as an expansion of an established strategic employment site.

- 6.7 The NPPF is therefore of particular relevance to this element of the proposal. A key theme of Section 3 of the NPPF titled 'Building a Strong and Competitive Economy' is that planning should operate to encourage rather than act as an impediment to economic growth and should be sufficiently flexible to respond proactively to differing economic needs. It is considered that the inclusion of the additional development zones that sit outside of the UDP employment allocation is compliant with this NPPF requirement. It will enable the owners of the business park to offer a range of different plot sizes, unit sizes and use class options to the market ensuring that they can react quickly to a particular developer interest. It will also allow the future development of the site to be properly planned including the need for any site wide strategic infrastructure to create a high quality business park environment rather than continuing in a somewhat piecemeal fashion as has been the case to date. Through this approach, important trees can be protected, new internal roads, footpaths and cycleways can be planned, new wildlife habitats created and a strategic landscape masterplan for the site as a whole can be formulated to guide all future development.

- 6.8 The council has recently updated the countywide employment land study which forms part of the evidence base for the Core Strategy. This examines future employment requirements for the county but also assesses each existing employment site providing them with a rating based on three factors of environmental sustainability, market attractiveness and strategic planning. The study grades the quality of the site as being the same as Rotherwas Enterprise zone with both being rated as 'good'. Notably, however, the report concludes:

'The site is classified as 'Good'. However, with the inclusion of additional land at the site this could elevate the ranking to 'Best', providing a strategic employment opportunity to the north of the City.'

- 6.9 There is currently no readily available employment land in the northern half of the city and in terms of future provision, earlier versions of the Core Strategy did propose a new employment site north east of the city in Holmer area but this was subsequently deleted primarily for site specific technical reasons. Even with the proposed new employment site at Three Elms, the employment land study supports the further expansion of Moreton Business Park.
- 6.10 An objector and Moreton Parish Council have expressed concerns regarding the encroachment on to agricultural land. UDP policy E15 seeks to protect the best and most versatile agricultural land (grades 1, 2 and 3a) from new employment development unless there is a lack of suitable development opportunities in urban areas and/or brownfield land or there is an established need for the development and poorer quality land is used. The development zones beyond the UDP boundary are lower quality agricultural land having a grade 3 classification and their development will not jeopardise the viability of a farming unit. As explained later in this report, the visual and landscape impacts of developing these fields are considered acceptable and zones will be well integrated with the remainder of the site. The NPPF also does not preclude development on agricultural land and states that planning policies should not be a barrier to investment.
- 6.11 Subject to the acceptability of other technical matters which are considered later in this report, the principle of including the additional land beyond the UDP employment zone area is considered acceptable and justified on economic, policy and design/layout grounds.

Proposed Uses

- 6.12 The development also proposes to broaden the range of employment uses located on the site. The majority of the existing business on site fall into the B1c (light industrial) and B8 (storage and distribution) use classes with a small amount of B1a (offices). Four of the eight development zones are now proposed to include the option of use class B2 (general industrial). The links to B8 and B1 use classes stems from the historic uses of the site as an MOD base but there are now no land use planning reasons why the county's second largest business park should not include general industrial activities, which will also assist in widening the future job creation potential of the site.
- 6.13 Also proposed along part of the site frontage is an area for a car showroom/sales unit and a children's nursery. UDP policy E5 provides support for other employment generating uses on employment sites that do not neatly fall within a defined use class including motor vehicle sales and display. Under this policy, several applications for vehicle showrooms have been permitted on employment land over the last six years or so off College Road but all available land in this area has now been taken up. Such businesses often require a large site area and either wish to be located alongside other dealerships or on a prominent road frontage. There are currently no readily available and suitable sites that meet these requirements yet there continues to be demand from dealerships that do not currently have a presence in the city or county to locate to the city. Additionally, UDP policy E2 permits non B1 and B8 employment uses subject to the landscape value being protected, residential amenity safeguarded and the future mastplanning of the site not being prejudiced.
- 6.14 A children's nursery is also proposed to serve the needs of the business park. Such facilities are commonplace on larger business parks and indeed, permission has recently been granted for a nursery on Rotherwas Enterprise Park. On site nursery facilities will enable employers to better cater for the needs of the employees adding to the sites attractiveness for new businesses by creating more flexible work opportunities. UDP policy CF5 supports new community facilities where they are of an appropriate scale to meet the needs of the community they are to serve, located within or around the settlement they are to serve, will not impact on residential amenity and are served by safe access including for pedestrians and cyclists. It is considered the nursery complies with the requirements of the policy.

- 6.15 The application also includes the demolition of several small existing buildings. Other than a small agricultural building adjoining the poplar plantation at the southern end of the site, these largely emanate from the former MOD use of the site. The buildings are of no architectural or historic merit and are of a size, design and construction that make them unsuitable for modern employment usage. There is therefore no objection to their demolition subject to ecological considerations which is considered later in this report.
- 6.16 The principle of the development including the buildings to be demolished, the physical development areas and mix of uses proposed are considered to comply with the UDP and where a conflict with adopted policy occurs, it is considered that other material planning considerations, particularly policy guidance within the NPPF support the larger development area.

The Masterplan, Trees and Landscape

- 6.17 The application is supported by an illustrative masterplan, a development parameters plan and a landscape masterplan and a design and access statement. The development areas have been informed by a vision of creating a high quality business park environment that respects the parkland character and context of the site. Within the masterplan, eight development zones are identified and within each zone, the development parameters are defined. For example, Zone F adjoins one of the principal employers on site (M & M Direct) and is defined as follows:

ZONE F	
Net Developable Area:	1.06 hectares
Number of units:	1
Use Class:	B8
Min-Max building height:	10M - 13M
Min-Max width/length:	83X90 – 73x103
Max gross internal floor area:	7430 sq.metres.

- 6.18 In negotiation with Council officers, several iterations of the masterplan have evolved with the aim of striking a balance between maximising the development potential of the site, retaining all trees worthy of retention, creation new wildlife habitats and creating a high quality and environment to work. A comprehensive tree survey of the whole site has been carried out which recorded a total of three hundred and seventy five mature and semi mature trees or groups of trees with thirty four different species identified. Twenty of the total are classed as category ‘A’ trees being high quality trees making a significant landscape, aboricultural and cultural contribution to the character of the site. In line with best practice, this tree report has very much guided the development zones across the site. In particular, the masterplan illustrates that within each development zone, the proposed floorspace and accompanying parking and manoeuvring areas can be accommodated without jeopardising the survival of retained trees.
- 6.19 The retention of the majority of the trees also enables the creation of informal amenity areas for staff with six specific areas being identified on the masterplan. Additionally, greenways in the form of mown grass paths are also proposed within and around parts of the site connecting areas of wildflower and new mixed woodland planting, providing further opportunities for informal recreation for staff whilst also creating new wildlife habitats. Along the A49 frontage, existing hedgerows and tress are to be retained and an additional landscape buffer is proposed to allow further planting in order to soften the visual impact of new buildings viewed from the highway. A Poplar planation is to be removed in the southern section of the site but the landscape officer is satisfied that this has limited aboricultural value having being planted as a dense commercial crop approximately fifteen years ago.

- 6.20 As required by UDP policy T4, the existing former railway line running along the eastern boundary is to be retained in the event it is required in the future for rail freight and other existing site features such as the stream corridor along Moreton Brook is being enhanced with new planting. The road infrastructure identified on the masterplan is largely already in place and will remain but pavements will be introduced where necessary to provide a safe movement of pedestrians and cyclist around the site. The proposed cycle link would benefit from being extended through the site as recommend by the traffic manager but this matter can be addressed by condition.
- 6.21 As a consequence of the need to retain trees, the likely siting of buildings does not have any particular order or rhythm. However, it is considered that this is a positive design effect and compliments the rural parkland character of the site. This also assist in reducing the wider visual impact of the new buildings allowing for significant landscaping between development zones and filtering views into the site. The landscape and visual impact assessment identifies that the site is categorised as having low landscape sensitivity and the magnitude of the landscape impact is also low given the established uses already on site and the manner in which the buildings will fit in with the landscape setting of the site. The Council's Senior Landscape Officer supports these conclusions. The flood risk and drainage considerations are explained further at paragraphs 6.33-6.36 but the development areas also do not encroach on any high risk flood zone.

Development Parameters and Design

- 6.22 The use class, footprint and scale parameters are commensurate with the opportunities and constraints of the site. The motor vehicle showroom development zone is positioned adjacent the site entrance which is considered appropriate both due to the prominence of this area and the likely higher design quality that will be achieved with a building accommodating such a use. The southern end of the site nearest Moreton village is restricted to light industrial units only which will ensure the residential amenity of nearby properties can be safeguarded. A cluster of small units can also be created in this area providing a different employment offer to the market than the remainder of the site. The unit size parameters have been dictated by the net developable area within each zone and the retained trees. The largest of the buildings will be no larger in footprint or height than existing buildings on site which is also considered acceptable and will assist in further mitigating any wider landscape impacts.
- 6.23 Whilst the application is in outline form, the design and access statement also outlines the design framework for the future development. This highlights that individual designs in term of scale, form and materials will be encouraged. This is considered a more appropriate approach in this instance than trying to standardise end appearances or achieve a set of rigid design rules and will be more complimentary with the character of the site. In terms of carbon reduction measures, all buildings are to be designed to achieve a BREEAM rating of 'Very Good' which exceeds current building regulations requirements. To ensure sustainable construction standards are employed over the life of the permission and to allow for changes in Building Regulations, a condition is recommend requiring sustainability standards to be reviewed and enhanced beyond a BREEAM 'Very Good' rating in future years.
- 6.24 The masterplan, landscape masterplan, parameters plan and design and access statement provide a well considered template for the future development of the site in accordance with UDP policies E8, DR1, LA2 and LA6 and the NPPF without imposing unduly restrictive limitations on the layout, siting, scale and appearance of development at the outline stage.

Access

- 6.25 A detailed Traffic Assessment (TA) and framework travel plan have been submitted and since submission of the application, updates to both documents have been submitted to address Highways Agency queries. A single access off the A49 Trunk Road serves the site which was

modified and upgraded in 2006, the works included the creation of a right turn lane and kerbed central island to prevent overtaking and reduction in the length of the south right turn lane to enable a comparable turning lane for southbound traffic entering the farm opposite the junction. A field access exists in the southern corner of the site which is to be utilised to create a new footpath/cyclepath to the village and bus stop.

- 6.26 The TA includes a detailed analysis of the access and junction capacity which for robustness, increased baseline traffic by 20% and makes no allowance for cross visitation. In terms of traffic flows, the TA has surveyed existing baseline traffic through both an automated traffic counter and observed traffic flows in 2011 and 2012, examines local accident data, considers future development traffic including future year's traffic growth for the period 2012-2022 and investigates the capacity of the Starting Gate roundabout.
- 6.27 The TA identifies that with the full committed development, the access will be at 59% of its design capacity which is considerably less than the 85% threshold which is the desirable maximum. The Highways Agency have undertaken further sensitivity analysis to examine the effect of blockages in queuing traffic at the access including the interplay with the farm access and even in this scenario, the Highways Agency confirm that the access has capacity to accommodate the full increase in traffic likely to be generated by the development without the need for further modification and consequently, the development will not compromise the operational capacity and safety of the trunk road at this location.

Transportation

- 6.28 In terms of traffic flows beyond the location of the site, the TA identifies that during the AM peak, 93% of observed traffic exited the site towards Hereford and 74% arrived from the south, the same analysis for the PM peak was 89% and 46% respectively. 75% of this current traffic is also HGV's. This indicates that greatest impact is likely to be on the Starting Gate roundabout although notably, however, peak hour traffic flows on the A49 in the locality have reduced between 2011 and 2012. Some legs of this roundabout are at the design capacity at peak times and traffic from this development will exacerbate this situation. However, the Highways Agency have recently announced that funds via the 'pinch point scheme' introduced by the government to overcome traffic related constraints on new development have been secured for modifications to the roundabout scheduled for next year. Two lanes are to be introduced and/or demarked on all legs of the roundabout. Further analysis of the impact of the development on the operation of the roundabout once these works have been completed has been submitted to the Highways Agency for their further comments. This indicates that the roundabout will operate more efficiently once the works are complete and with the full development (including other committed development) in place than is currently the case. An update on this matter will be provided at Committee. The Traffic Manager has considered this further information and raises no objection to the impact on Starting Gate roundabout from the perspective of the Council's network.
- 6.29 To mitigate the traffic impacts of the development and make the site more accessible by non car based modes of travel, various sustainable transport works and measures are proposed. In terms of works, a new bus lay-by is being considered on the western side of the A49 within the highway verge just north of the site access and the existing central island is to be modified to provide a safe pedestrian refuge. This will complement the existing informal bus lay-by on the eastern side adjacent the site access. Also, from the south western corner of the site, a new 3 metre shared footway/cycleway is to be created within the highway verge for a distance of 350 metres to link with Moreton village and the existing bus stop south of the entrance to the village. A condition is also recommended requiring appropriate provision of dedicated car share spaces to serve each unit and the option of community park and share will also be considered.

- 6.30 The measures are encompassed within a framework travel plan and largely build on the sustainable travel options available to existing staff working on the site. M&M currently provide a free bus service for staff and a car sharing scheme is also already in operation from the site. Appropriate covered cycle parking will also be provided to serve each unit along with wet room/shower facility and locker storage within each new building. Annual staff surveys will also be carried out to establish how existing travel patterns can be influenced to encourage more sustainable travel choices. Longer term, the Council has prepared a preliminary design for a new cycleway from the north of the city to Moreton which if constructed, will then provide a safe, off highway direct link between the site and city. A revised framework travel plan has been prepared and is currently being considered by the Highways Agency. An update on this matter will be provided at Committee.
- 6.31 The structure of the internal road layout is largely already in place but some widening and new roads will be required to accommodate the new development with the aim of bringing the road, pedestrian and cycle infrastructure up to an adoptable standard. The proposed cycleway from Moreton should also be extended through the site and new footpaths will be required to create a safe environment for employees throughout the site. Future parking and manoeuvring requirements will be determined at the reserved matter stages and controlled by condition but adequate land exists to meet the needs of future businesses including provision for car share spaces. The Council's Traffic Manager raises no objection to the development subject to conditions covering the above matters.
- 6.32 Historically, the site was served by a rail line and the track still remains within site although it hasn't been used by any businesses currently on the site. Nevertheless, UDP policy T4 safeguards this rail link as a future opportunity for rail freight and the masterplan makes provisions for its retention. A rail hub has been re-established just north of the site serving the gravel quarry with 178,000 tonnes of gravel now being distributed annually by rail removing around 17,800 HGV movements per year off Hereford's roads. The future potential if a demand arises is therefore significant and could significantly offset the future impact of increased HGV movements on the network.

Flood Risk

- 6.33 Parts of the site fall within or adjoin floodzone 2 (medium probability) and floodzone 3 (high probability) areas associated with the River Lugg to the east, Auberrow Brook to the north and Moreton Brook running through the site. Consequently, the application is accompanied by a flood risk assessment and drainage study. To further inform the flood risk, Moreton and Auberrow Brooks have been hydraulically modelled to examine peak flows and understand what influences flows such as existing culverts and the associated risk of blockages. This alongside historic flood data for the River Lugg has enabled an accurate flood map for the site and surroundings to be developed which has informed the masterplan and associated development areas. It must be noted, however, that there are no records of the site ever flooding; the nearest event was the 1947 flood where peak flows from the River Lugg came to within 136 metres of the site.
- 6.34 The more detailed analysis of the flood risk has revealed that the majority of the site is outside of the floodzone 3 area. The exceptions are the north east corner and along Moreton Brook – the former being caused by flooding on the River Lugg and the latter primarily caused by the restricted size of the culverts under the A49 and within the site. With the benefit of this information, no development is now proposed within the floodzone areas and the Environment Agency and Council's drainage engineer have confirmed that they have no objection to the application on flood risk grounds. Further mitigation will be achieved through requiring slab levels in the southern section to be 300mm above localised road level which represents the likely overland flood route in an extreme flood and replacement of the restricted culvert within the site with a new bridge. This will also enable levels to be raised to provide flood free access.

Drainage

- 6.35 Although the water table is relatively high, an investigation of ground conditions has revealed that the site is permeable and can support infiltration surface water drainage to the required standard of a 1 in 100 year flood event plus allowance for climate change. This is likely to be achieved on a plot by plot basis but will include a combination of shallow infiltration drains, permeable paving and if required, soakaway structures such as underground cellular tanks and attenuation ponds. Runoff rates will also be restricted to existing greenfield rates. Part of this system will also include a series of filter land drains alongside roads and around development zones C and D set above the water table to accommodate groundwater flow from surrounding areas. This will ensure a SUDS drainage system is achieved and remove the risk of flooding from groundwater in accordance with the requirements of UDP policy DR7 and the NPPF.
- 6.36 With regards foul drainage, the applicant commissioned Welsh Water to carry out a study to establish whether the nearest adopted sewage treatment works at Moreton has capacity to accommodate the development. Welsh Water has now confirmed there is capacity within the mains foul network to accommodate the entire development. Within the site, foul drainage is to be pumped to the treatment works via existing pumping stations which have sufficient reserve capacity. An additional small pumping station may be required to deal with the southern part of the site due to site levels.

Biodiversity

- 6.37 The application is accompanied by an ecological survey which considers the baseline ecological value of the site and surroundings. An ecological impact assessment report supported by species specific surveys for bats, reptiles, breeding birds and amphibians then outlines the steps to avoid or mitigate any biodiversity impact and proposes the delivery of biodiversity compensation and enhancement measures.
- 6.38 Whilst the site itself has no specific biodiversity designation, adjoining the site is Long Coppice Ancient Woodland and just to the north is Wellington Marsh Special Wildlife Site; further east is also the River Lugg. Within the site, existing drainage ditches and Moreton Brook provide ecological corridors connecting with existing marshland and other habitats east of the site. This is a tributary of the River Lugg SSSI and SAC connecting with it around 4KM south east of the site. In terms of specific species, a small population of great crested newts were found within 500m of the site, 31 species of birds were recorded and 6 species of bats but no reptiles were found or evidence of dormice and otters were found.
- 6.39 A development of this scale will inevitably impact on the biodiversity value of the site which in parts, is relatively sensitive. The key consideration is whether the impacts can be mitigated and if not, whether compensatory measures can be implemented to offset any adverse impacts and provide opportunities for biodiversity enhancement.
- 6.40 Development is proposed within around 20 metres of Long Coppice Ancient Woodland but this distance will be sufficient to avoid any direct impacts and the proposed use of infiltration drainage will safeguard the hydrological conditions within the woodland. The primary great crested newt habitat to the north will also be unaffected by the development and subject to precautionary measures during construction, there will be no adverse impact on the newts and their habitat. Opportunities will also exist through the sustainable drainage design to create new wetland habitats for newts.
- 6.41 The retention of the majority of the existing trees and some of the grassland areas will also minimise the impact on the local bird population and the new landscaping and wildlife areas along with the installation of bird boxes will create new feeding and breeding habitats for birds.

There will therefore be no adverse impact and on the whole, a net positive impact on these species or their habitat.

- 6.42 The existing poplar plantation and associated grassland area within the southern quarter of the site is identified as an area of higher ecological value although the trees and grassland in themselves have limited aboriginal or ecological value. The plantation is a foraging habitat for bats and is close to breeding roosts and therefore its removal is likely to have a moderate adverse impact on the local bat population. One of the buildings to be demolished near Moreton Brook also contains a bat roost and therefore its demolition will also be subject to a licence from Natural England. The Council's ecologist is satisfied that the development will meet the three tests associated with obtaining such a licence.
- 6.43 To compensate for the loss of this woodland, new habitat and green infrastructure is to be created extending to 40% of the area within this development zone. This will include native naturalistic planting, development areas have been pulled back away from Moreton Brook to provide opportunities to enhance this feature as a wildlife corridor, a wildflower meadow area, new woodland copse planting, installation of bat and bird boxes and a wetland habitat including an open water feature. This will create a diverse new wildlife habitat in this area as well as new foraging opportunities for bats and birds.
- 6.44 The impact of construction activities on the biodiversity interest of the site, if not correctly managed, could be significant particularly as the duration of construction could be over a ten year period. However, the imposition of conditions requiring an ecological clerk of works to be present during construction, appropriate habitat protection measures and submission of working method statements in areas where protected species are known to exist will ensure the construction impacts are minimised. The fact the business park is under the control of a permanent site manager will also assist in minimising the risks to biodiversity.
- 6.45 Across the site including land within the control of the applicant but adjoining the site such as Long Coppice, a total of 6 hectares of land is to be safeguarded and managed for biodiversity purposes to both compensate for any unavoidable ecological impacts and create opportunities for biodiversity enhancement. This alongside the high quality structural landscaping scheme proposed which will include significant new tree planting, wildflower meadow and wetland habitats will assist in achieving a net gain in the biodiversity value of the site. To ensure this is delivered, a condition is recommended requiring the monitoring of the enhancement measures to include further bat surveys which will then identify whether any modification of the mitigation strategy is required to ensure its success.

Phosphates and the Impact on the Special Area of Conservation

- 6.46 The River Lugg is designated a SSSI and Special Area of Conservation (SAC) and these designations impose strict limitations on water quality. The River Lugg is currently exceeding the phosphate target imposed by these designations which the new development proposed within this application will exacerbate. However, the drainage study carried out by Welsh Water confirms that in a completed development scenario, the sewage treatment works at Moreton can still operate within the phosphate concentration limit imposed by the Environment Agency licence of 1 mg/l.
- 6.47 Over the past twelve months or so, the Council has been working with the Environment Agency (EA), Natural England (NE) and Welsh Water to establish a short, medium and long term strategy to address the issue. It has now been agreed that this is to take the form of a Nutrient Management Plan and the EA and NE have recently signed a document confirming their commitment to preparing a Nutrient Management Plan. As a consequence of this, the Welsh Water drainage report and other information submitted with the application, the Council's ecologist has completed a Habitat Regulations Screening Opinion concluding that the development will not have any likely significant effects on the integrity of the Special Area

of Conservation (Rivers Lugg and Wye). This has now being considered by Natural England and they concur with the conclusions of the Screening Opinion.

Other Matters

Archaeology

- 6.48 The application is supported by a comprehensive archaeological report informed by field evaluation carried out prior to the submission of the application. This comprised of twenty one trenches across the site alongside information and evidence from previous archaeological excavations on site and in the surrounding area. Much of the site is disturbed ground associated with the previous military use but two areas of archaeological interest were discovered. Within the agricultural field adjacent the A49, a concentration of Roman features were uncovered which have been interpreted as the remains of a Roman-British farmstead dating back to between the 1st and 4th Centuries.
- 6.49 This is of regional significance as only a small number of such features have been investigated in the West Midlands region and it will add to the understanding of Roman occupation in the area alongside other discoveries such as a Roman settlement at Wellington Quarry. In the southern part of the site a palaeochannel was found dating back to the end of the last glacial period which may yield information regarding past environments in the lower Lugg valley and preserve waterlogged remains.
- 6.50 The findings of the report have been assessed by the Councils archaeologist who concludes that whilst the location is archaeologically sensitive, the development will have very limited impact on any archaeological heritage. Where archaeology has been discovered, the imposition of a condition requiring further investigation and recording prior to commencement of development within this zone will satisfactorily address and mitigate the impact of the development on archaeological heritage. This approach is supported by UDP policy ARCH 6 and the NPPF.

Residential Amenity

- 6.51 The proposal will result in employment development being closer to both Brookhouse Farm and existing residences along the northern edge of Moreton village than is currently the case and therefore noise in particular could impact on local living conditions. In respect of Moreton village, all the units within the southern quarter of the site have purposely been restricted to light industrial units to safeguard existing amenity. A landscaped buffer is also proposed along the southern edge of the site to minimise the visual impact of these buildings on existing properties.
- 6.52 In terms of Brookhouse Farm, this sits adjacent the A49 where due to traffic noise, background noise conditions are already elevated and again, further tree planting is proposed to soften the visual impact of new industrial buildings from the farm. Furthermore, an agricultural field adjacent the farm remains within the farms ownership and does not form part of the application which ensures a reasonable separation between the farm and nearest industrial buildings.
- 6.53 Therefore, whilst it is considered the development is unlikely to adversely impact on existing residential amenity, as an additional safeguard, a condition is recommended by the environmental health officer requiring details of the measures to control noise emanating from the development zones nearest Moreton village and Brookhouse Farm. A condition is also recommend requiring the submission of all external lighting details to ensure there is no unacceptable light pollution. Subject to these conditions the requirements of UDP polices DR13 and DR14 are satisfied.

Section 106 Requirements

- 6.54 In March 2009, the adopted policy contained within the Supplementary Planning Document on Planning Obligations was suspended for employment development subject to the requirement that the development is commenced within two years (it was originally one year). The applicants express concerns with having to meet this requirement. In the current economic climate, employment development is built to order rather than speculatively and whilst there is already market interest in the smaller plots, car showroom and nursery, given the scale of the site and uncertainty over phasing they do not wish to be in a position whereby due to market forces, they have to be re-apply in two years.
- 6.55 At the time of writing this report, the Council is shortly due to consult on the Community Infrastructure Levy (CIL). The proposed charging schedule is based on up to date viability evidence across all development sectors including employment development and following detailed analysis, employment is proposed to be exempt from CIL. Whilst this is only at the consultation stage and therefore can only be afforded limited weight at this stage, the CIL evidence is more up to date than that which supports the adopted SPD. Additionally, a Section 106 Agreement would be secured to provide enhanced sustainable transport infrastructure to support the development. However, the development will include a new off highway cycle and footpath link, new bus infrastructure, car share parking spaces and a framework travel plan which will contribute towards improving the accessibility of the site by sustainable modes of transport. In this instance, it is therefore not considered necessary to impose a two year commencement limitation.

Contamination

- 6.56 A phase 1 geo-environmental report has been provided which analyses existing data from previous invasive site investigations carried out on site and examines the historic land uses and associated risk of contamination. The proposed development areas are likely to contain some contamination which with the wider construction activities and drainage proposals, may also create new pathways to groundwater and watercourses causing pollution of the water environment. Across the site, fuel and oil interceptors are proposed to capture pollution from impermeable surfaces in order to control the risk of diffuse pollution into the watercourses particularly at the point where they discharge into drainage ditches and Moreton Brook. The site is under the control of one manager which will also assist in ensuring appropriate construction environmental working practices are followed.
- 6.57 To address this further, prior to the commencement of each new building, further ground investigation will also be required to establish the presence of any contamination and a remediation strategy if contamination is found. The Council's Environmental Health Officer and the Environment Agency are satisfied that this can be dealt with by condition and such a condition will ensure compliance with UDP policy DR10.

Conclusion

- 6.58 The majority of the site falls within land allocated for employment within the UDP under policy E2 where the principle of the uses proposed including the vehicle showroom is supported. Three areas of the site are beyond the UDP allocated employment zone. These areas are primarily a mixture of agricultural grazing land and a poplar tree plantation and the approval of development on these areas will be contrary to UDP policies E2 and E15. The NPPF, however, requires local planning authorities to be more flexible in their approach to applications for employment development to ensure landowners can adapt quickly to market demands. The Council is achieving this requirement south of the river on the Rotherwas Enterprise Zone but no such site currently exists close to but north of the city.

- 6.59 This development will deliver a range of unit sizes and employment use classes set within a high quality business park environment, the diversity of which is enhanced by the inclusion of the additional land. The Councils latest employment land study (with the inclusion of the additional land) also rates the site as one of the top two employment sites within the county in terms of environmental sustainability, market attractiveness and strategic planning. The masterplanning of the whole site also allows for the developments strategic infrastructure requirements such as foul and surface water drainage, sustainable transport links, strategic landscaping, amenity areas and biodiversity enhancement to be properly considered and achieved. Notwithstanding the conflict UDP policies E2 and E15, for these reasons, the principle of including the additional land is also supported and moreover, is not considered to be in conflict with the NPPF.
- 6.60 In design terms, the development meets the requirements of UDP policies E8, LA2, LA6, NC1 and DR7 and the requirements of the NPPF. More specifically, the masterplan proposes development that is harmonious with the character of the existing site in that nearly all trees of arboricultural value are being retained including large areas of grassland to be dedicated as staff amenity areas and considerable additional landscaping is proposed to mitigate the landscape and visual impact of the development. The biodiversity value of the site has been comprehensively considered and whilst there will be some impact, this is mitigated and more than compensated for with the new wildlife habitats to be created and long term management of existing habitats. Flood risk has also informed the masterplan in that no buildings are now proposed with the high risk floodplain. The site can also support an entirely sustainable surface water drainage system and foul drainage capacity has been evidenced which it is considered will also ensure there is no likely significant effect on the Special Area of Conservation.
- 6.61 The localised and wider traffic impacts of the development have been fully considered and subject to the Highways Agency response, the technical analysis demonstrates that the highway network has capacity for the full development once the improvements to the Starting Gate roundabout are in place. The traffic impacts are also mitigated by proposed enhancements in the sustainable travel options and links with the site. Other matters such as archaeology, contamination, amenity and Section 106 have all been fully considered and are addressed or can be addressed with the recommended conditions.
- 6.62 The council is often asked the question, particularly in the context of the proposed housing growth within the core strategy - where are the future job opportunities? The floorspace and mix of uses proposed which, accommodating a relatively high proportion of use class B8 has potential to yield around 765 new jobs, bringing the total number of jobs provided by the site up to 1000 with a further 250 seasonal jobs created annually by M&M Direct. If a higher proportion of use classes B1 and B2 are delivered, the employment generation is likely to be higher.
- 6.63 The growth of this site is a key part of the County's employment strategy and will create an employment site that meets the development needs of business and help support an economy fit for the 21st century as required by section 3 of the NPPF. It will also address the present spatial and qualitative imbalance of available employment land north and south of the river and will place Hereford and the county in a strong position to attract inward investment and provide new job opportunities to complement the proposed Core Strategy housing growth.
- 6.64 The NPPF requires local planning authorities to apply a presumption in favour of sustainable development and defines sustainability as encompassing an economic, social and environmental role. The development is considered to deliver all three strands of sustainability. New employment opportunities will be created contributing to building a strong and responsive economy, the provision of on site childcare facilities and extensive staff amenity areas will assist in supporting the social well-being of staff whilst environmentally, the development is accessible by sustainable transport modes, will protect and enhance the

natural and historic environment and will mitigate the impact of climate change in terms of flood risk and energy efficient construction. Consequently, the application will deliver sustainable economic development.

- 6.65 The approval of the application is considered compliant with the relevant development plan policies, save for policies E2 (part) and E15, the RSS, supplementary planning guidance, emerging policy and the NPPF. In respect of policies E2 and E15, it is considered there are strong material planning considerations, more up to date evidence and policy guidance within the NPPF to warrant departing from these policies. The application is therefore recommended for approval subject to the resolution of the Highways Agency queries and concerns.

RECOMMENDATION

That subject to the removal of the Highways Agency holding direction, preventing approval of the application, officers named in the Scheme of Delegation to Offices be authorised to issue planning permission subject to the following conditions and any amended or further conditions considered necessary by officers:

- 1. Applications for approval of Reserved Matters shall be made to the local planning authority not later than the expiration of eight years from the date of this permission.**

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

- 2. The development to which this permission relates shall be begun not later than the expiration of two years from the date of the approval of the last reserved matters application to be approved.**

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

- 3. Prior to the commencement of the development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application submitted shall refer to a phase, phases, or part thereof identified in the phasing plan. Any subsequent alteration to the phasing plan shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure adherence to the approved plans and the associated phasing of the development and secure compliance with policies DR1 and E8 of the Herefordshire Unitary Development Plan.

- 4. No development on any phase, or part thereof, shall be commenced until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) for that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter each phase of the development shall be carried out in accordance with the approved reserved matters application relating to it.**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 and to enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.

- 5. Except where otherwise stipulated by conditions, the reserved matters applications shall be carried out in general accordance with the submitted plans drawing numbers 1674-1002c, 1674-1013 and 1674-1007G and TAs 108 Srat MP1C**

Reason: To ensure adherence to the approved plans in the interest of a satisfactory form of development and secure compliance with policies DR1 and E8 of the Herefordshire Unitary Development Plan.

6. **C01 Samples of external materials**
7. **E01 Site investigation - archaeology**
8. **G04 Protection of trees/hedgerows that are to be retained**
9. **G09 Details of Boundary treatments**
10. **G10 Landscaping scheme**
11. **G11 Landscaping scheme - implementation**
12. **H16 Parking/unloading provision (including car share spaces)**
13. **H17 Junction improvement/off site works**
14. **H18 On site roads - submission of details**
15. **I56 BREEAM**
16. **H29 Secure covered cycle parking provision**
17. **H30 Travel plans**
18. **I02 Scheme of measures for controlling noise**
19. **I18 Scheme of foul drainage disposal**
20. **I27 Interception of surface water run off**
21. **I33 External lighting**
22. **I41 Scheme of refuse storage (commercial)**
23. **I51 Details of slab levels**
24. **I55 Site Waste Management**
25. **K2 Nature Conservation - site protection**
26. **K4 Nature Conservation - Implementation**
27. **K5 Habitat Enhancement Scheme**
28. **L01 Foul/surface water drainage**
29. **L02 No surface water to connect to public system**
30. **L03 No drainage run-off to public system**
31. **I22 No surface water to public sewer**
32. **F06 Restriction on Use (Zone H)**
33. **G14 Landscape management plan**
34. **Prior to the commencement of development hereby permitted or in accordance with a timescale to be agreed prior to the commencement, details of the following shall be submitted to and approved in writing by the local planning authority:**
 - **Strategic landscaping and wildlife habitats**
 - **Strategic foul and surface water drainage**
 - **Amenity Areas**
 - **The new cycleway through the site and alterations to the strategic road layout and design**
 - **Design of the new culvert/bridge over Moreton Brook**
 - **A delivery phasing plan and programme**

The development shall be carried out in accordance with the agreed details and

phasing plan.

Reason: To ensure the adherence to the masterplans in the interest of creating a high quality business park environment, to ensure the necessary strategic infrastructure is in place at the appropriate phase of development and to comply with policy E8 of the Herefordshire Unitary Development Plan.

- 35. In the case where development including demolition does not commence on each or any phase before March 2015, an updated ecological survey, together with any subsequent mitigation measures required as a result of the findings and a timescale for the implementation of the mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the mitigation measures shall be carried out in full in accordance with the approved details

Reason: To ensure the biodiversity interest of the site is appropriately considered and any impacts mitigated and to comply with policies NC1 and NC7 of the Herefordshire Unitary Development Plan.

- 36. **M09 Contamination**

- 37. No more than 50% of the total floorspace hereby permitted shall be Use Class B1c and/or B2 of the Town and Country Planning (Use Classes) order 1987, or in any equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure the highway impact of the development does not exceed acceptable levels and to comply with policy T8 of the Herefordshire Unitary Development Plan.

Reason for Approval

- 1. As in paragraphs 6.54-6.59 above.

INFORMATIVES:

- 1. **HN10 No drainage to discharge to highway**
- 2. **HN28 Highways Design Guide and Specification**

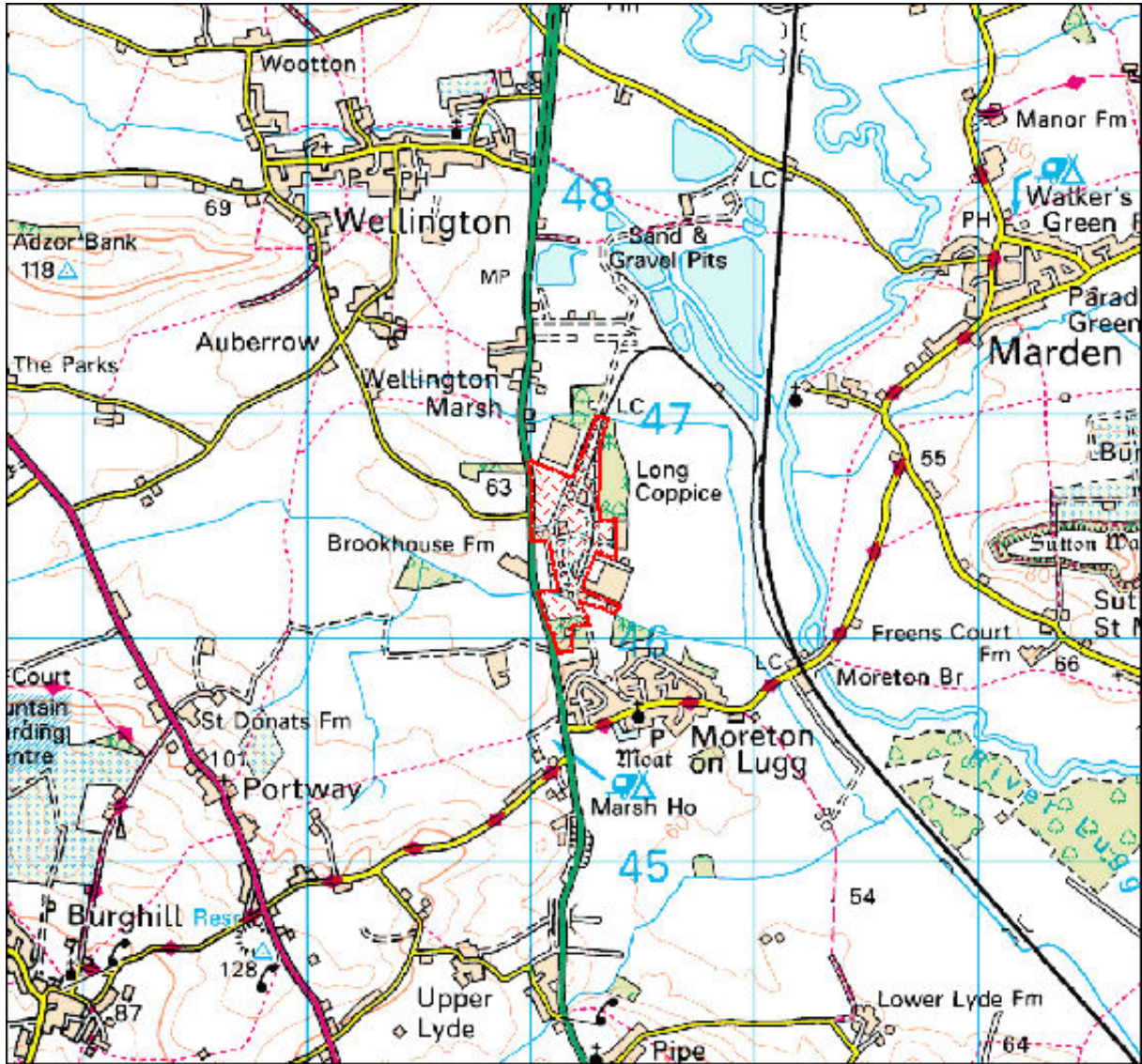
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: S/123075/O

SITE ADDRESS : MORETON BUSINESS PARK, MORETON-ON-LUGG, HEREFORDSHIRE, HR4 8DS

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Further information on the subject of this report is available from Mr R Pryce on 01432 260288