

MEETING:	PLANNING COMMITTEE
DATE:	10 DECEMBER 2014
TITLE OF REPORT:	<p>P133411/CD - HYBRID PLANNING APPLICATION FOR THE DEVELOPMENT OF EMPLOYMENT USES INCLUDING B1 (16,500SQ.M GFA), B2 (8,900SQ.M GFA) AND B8 (4,000SQ.M). INCLUDING FULL DETAILS OF THE ACCESS, INTERNAL ROAD INFRASTRUCTURE AND CIRCULATION ROUTES, AND LANDSCAPING WITHIN A LANDSCAPE BUFFER ZONE PROVIDING SURFACE WATER ATTENUATION AND PLANTING AT MODEL FARM, HILDERSLEY, ROSS-ON-WYE, HR9 7NN</p> <p>For: Mr Webster per Arup, 63 St Thomas Street, Bristol, BS1 6JZ</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=133411&search=133411
Reason Application Submitted to Committee – Council Application	

**Date Received: 10 December 2013 Ward: Ross-on-Wye Grid Ref: 361399,224165
East**

Expiry Date: 9 April 2014

Local Members: Councillors AM Atkinson and PGH Cutter

1. Site Description and Proposal

- 1.1 The site amounts to approximately 15.5 hectares of agricultural land and includes a small farmstead lying centrally within the application site. It is located approximately one mile to the east of Ross on Wye's town centre and is immediately adjacent to the A40 former Trunk Road. The road is located to the south, with an area of housing to the west. Boundaries to the north and east are shared with open countryside.
- 1.2 The character of the site and its surrounding area is typical of agricultural land, with fields defined by mature hedgerows and containing occasional hedgerow trees. The site is quite open in nature and is widely visible within a local context. It is outside of the Wye Valley Area of Outstanding Natural Beauty and has no specific landscape designation.
- 1.3 The application is made in outline with all matters apart from access and landscaping reserved for future consideration and seeks to demolish the existing farm buildings and develop the land for employment purposes; a mix of B1 (light industrial/office), B2 (general industrial) and B8 (storage and distribution) uses. Details of the proposed split of floor area are provided in the Design and Access Statement and these are as follows:
 - B1 – 16,500 square metres gross floor area

Further information on the subject of this report is available from Mr A Banks on 01432 383085

- B2 – 8,900 square metres gross floor area
- B8 – 4,000 square metres gross floor area

1.4 The application is submitted with an indicative master plan which shows six development areas and detailed landscaping proposals for an area along the western boundary. It is expected that the six development areas will come forward as a single future reserved matters application or multiple individual applications.

1.5 The detailed landscaping proposals show a buffer between the existing housing to the west and the substantive part of the site that it is proposed to use for employment purposes. The landscaped area covers approximately a quarter of the site and includes surface water attenuation ponds, and orchard planting and grazing area to reflect the historic landscape character. The landscaping scheme also proposes 1.2 kilometres of new hedgerow planting to mitigate the loss of existing hedges arising as a result of the built form.

1.6 Access to the site is to be provided directly from the A40 at the south eastern corner. The submission advises that the internal layout will be compliant with the Council's Highway Design Guide and Specification and provides a detailed layout for this. A pedestrian and cycle link is proposed to be created through part of the orchard plantation to the south western corner of the site and footway/cycleway improvements are to be made along the A40. These include a new footway across the entire site frontage, new bus stops and a signalised pedestrian crossing.

1.7 A Screening Opinion was completed under the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and it was concluded that the proposal did not represent development for which an Environmental Statement would be required. However, the application is submitted with the following documents:

- Design & Access Statement
- Planning Statement
- Statement of Community Involvement
- Framework Travel Plan
- Transport Assessment & Addendum
- Stage 1 Road Safety Audit
- Ecological Survey & Update
- Landscape Character & Visual Assessment
- Geotechnical Desk Study
- Flood Risk Assessment
- Topographical Survey
- Landscape Master Plan Framework
- Detailed Landscape Plan

2. Policies

2.1 National Planning Policy Framework

Section 1	-	Introduction
Section 2	-	Achieving sustainable development
Section 3	-	Supporting a prosperous rural economy
Section 4	-	Prompting sustainable transport
Section 10	-	Meeting the challenge of climate change, flooding and coastal change
Section 11	-	Conserving and enhancing the natural environment

2.2 Herefordshire Unitary Development Plan

S1	-	Sustainable Development
S2	-	Development Requirements

Further information on the subject of this report is available from Mr A Banks on 01432 383085

S4	-	Employment
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
E3	-	Other Employment Land Allocations
E8	-	Design Standards for Employment Sites
T6	-	Walking
T7	-	Cycling
T8	-	Road Hierarchy
LA2	-	Landscape Character and Areas Least Resilient to Change
LA3	-	Setting of Settlements
LA6	-	Landscaping Schemes
NC1	-	Biodiversity and Development
NC7	-	Compensation for Loss of Biodiversity
NC8	-	Habitat Creation, Restoration and Enhancement

2.3 Herefordshire Local Plan – Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS4	-	Movement and Transportation
SS5	-	Employment Provision
RW1	-	Development in Ross on Wye
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
E1	-	Employment Provision
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources

2.4 Model Farm Supplementary Planning Document

Under Policy E3 of the Herefordshire Unitary Development Plan (HUDP) the site at Model Farm is specifically allocated for employment use. This document takes the form of a development brief and outlines the approach to be taken in the development of the Model Farm site. It sets out the parameters for development and comments in some detail about matters including layout, access and movement, landscaping, drainage and the creation of a buffer between the site and adjacent residential areas.

2.5 Neighbourhood Plan

Ross Rural Parish Council and Ross Town Council have successfully applied to designate a joint Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The area was confirmed 5th September 2013. The two Councils will have the responsibility of preparing a Neighbourhood Development Plan for that area. There is no timescale for proposing/agreeing the content of the plan at this early stage, but the plan must be in general conformity with the strategic content of the emerging Core Strategy. In view of this no material weight can be given to this emerging Plan.

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

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

3. Planning History

- 3.1 DCSE2007/3140/O – Outline permission for the use of land for B1, B2 and B8 employment purposes – Approved
- 3.2 DMS101350/CD – Hybrid application for 29,400 square metres of B1, B2 and B8 employment uses – Withdrawn.

The application was subject to a direction not to approve from the Highways Agency pending resolution of concerns that they raised about the intensification of traffic movements and its effect on the A40 / A449 junction. On the basis that the gross floor area for employment uses would be limited to specific floor areas for B1, B2 and B8 uses; and thus the traffic impacts could be assessed, the Highways Agency eventually withdrew their holding direction on 31st May 2013, nearly three years after the original submission of the application.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water – No objection subject to the imposition of conditions to ensure that foul and surface water are drained separately from the site, and to require the submission of a scheme to show how foul water, surface water and land drainage will be dealt with.
- 4.2 Environment Agency - A Phase 1 Environmental Risk Assessment and a Site Investigation Report (Model Farm, Ross on Wye, Site Investigation Report have been submitted in support of this application. The site's environmental sensitivity is determined as medium which is based on the fact that the site is on a Secondary A Aquifer and within groundwater Source Protection Zones 2 and 3. The environmental sensitivity of the site is acknowledged in section 2.2 of the Model Farm Supplementary Planning Document (SPD) which was adopted in October 2008.

Low levels of PAH and TPH contamination were found in isolated locations connected with farm vehicle areas and areas of infilled land. It is proposed to remove these hotspot areas from site. We are in agreement with the conclusions and recommendations of the submitted reports and raise no objections subject to the imposition of conditions to ensure that work is carried out in accordance with the recommendations of the reports.
- 4.3 Highways Agency – No objection subject to the imposition requiring the submission of travel plans for each phase of the development.

Internal Council Consultations

- 4.4 Conservation Manager (Ecology) – No objection subject to the imposition of a condition to require the submission of a habitat protection and enhancement scheme prior to the commencement of development.
- 4.5 Conservation Manager (Archaeology) – No objection. It is considered that the choice of site is a good one archaeologically, and that no harm to any heritage assets will occur as a result of the development. No further archaeological measures are necessary.
- 4.6 Environmental Health and Trading Standards Manager – No objection subject to the imposition of conditions to deal with matters highlighted in the contaminated land reports accompanying the application.
- 4.7 Land Drainage Engineer – The flood risk at this site is generally considered to be low and the proposed surface water management scheme is in line with current best practice. In principle,

there are no objections to this development on the grounds of flooding or drainage-related matters. However, as the existing culvert beneath the former railway embankment will be retained in the development proposals, it is recommended that the culvert is further investigated to ensure that it is not blocked or damaged and can carry the proposed outflows from the ponds without putting the residential properties in the adjacent housing estate at any greater risk of flooding. It is recommended that a summary of these investigations is submitted to the Council for comment and approval prior to construction.

5. Representations

5.1 Ross Rural Parish Council - The Parish Council is not aware of any objections to this application from local residents. The original objection was that this type of development should take place on brown field sites NOT green farming land. This issue has not been addressed by Herefordshire Council.

5.2 Ross Civic Society – Raise no objection to the proposal but request that proper attention is given to the landscaping. They also note that they are pleased to see references to cycle and pedestrian paths.

5.3 Two letters of objection have been received from local residents. In summary the points raised are as follows:

- Potential damage to the aquifer during construction
- Increased risk of flooding to properties on Parsons Croft and The Glebe from surface water run off.
- Long term light and noise pollution will cause distress to local residents and wildlife.

5.4 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Principle of Development

6.1 Ross-on-Wye is designated as one of the five market towns suitable for additional growth required to meet the County's strategic and local development objectives. Policy E3 of the HUDP allocates Model Farm for employment use. The allocation of the site for employment uses establishes that the site is considered, in principle, to be suitable for such a use in order to meet the future employment needs of Ross-on-Wye. The objection received from Ross Rural Parish Council to the principle of the land at Model Farm being designated for employment purposes is noted, however, given that it is allocated within the HUDP for such purposes it would be unreasonable to refuse this application on such grounds.

6.2 With the principle of development established, the application should demonstrate that any technical matters arising can either be dealt with through the detailed design of the scheme at this stage, or can be satisfactorily addressed through the imposition of conditions. The following paragraphs will consider these matters in further detail.

Highway Matters

- 6.3 The quantum of development currently proposed remains the same as that upon which the original 2010 application was based. By specifying the amounts of floor area to be attributed to particular land uses, the Highways Agency were given sufficient comfort to withdraw their direction not to approve for the earlier application, the notification for this being received by the Council in May 2013. Since that time the area to which the application relates has increased, hence the requirement for a new application. It now incorporates all of the farm buildings which were previously omitted from the earlier application site.
- 6.4 The Highways Agency initially issued a direction not to approve this proposal as they were concerned that some of the information upon which the Transport Statement is based is now out of date. Following further detailed discussions that have involved colleagues from the Highways Agency, together with the applicant's transport consultant, an addendum to the Transport Statement has been submitted. The information contained within this has allowed the Highways Agency to withdraw their direction not to approve. They have recommended the imposition of a condition requiring the submission of a travel plan for each phase of the development. Whilst the master plan is arranged in a phased manner, it is likely that plots will be developed individually and therefore it is considered that there should be a requirement for the submission of an outline travel plan for the site as a whole, with individual plans required for subsequent developments. This is reflected in the recommendation below.
- 6.5 A condition can be imposed to limit the amount of gross floor area permitted across the site as a whole so as to ensure that the development accords with the parameters on which the Transport Assessment is based, as it is on this that the assumption is made that there is sufficient capacity within the highway network. On this basis it is considered that the proposal complies with Policy T8 of the HUDP.
- 6.6 The detailed layout of the access is compliant with the Council's Highway Design Guide. The plans demonstrate that the appropriate visibility splays can be provided and the introduction of a ghost island serves to provide a refuge for vehicles turning right into the site. Similarly, the internal layout complies with the Design Guide and provides a rational arrangement to the site that will allow a phased development without compromising the ability of businesses to operate.
- 6.7 The scheme also makes provision for a suite of highway improvements along the A40 in order to improve the site's connectivity to the rest of the town. The layout shows a clear pedestrian and cycle route emerging from the south western corner of the site and this will link to footway improvements beyond. A new footway across the site frontage, a controlled pedestrian crossing and bus stops on the A40 further add to the range of measures to ensure that there is a genuine choice of sustainable transport modes available to people, compliant with the NPPF and Policies S1, DR2 and DR3 of the HUDP.

Drainage & Flood Risk

- 6.8 The FRA identifies all relevant hydrology issues relating to the site. The presence of the Secondary Aquifer and the fact that the site is located within a groundwater protection zone are acknowledged by it and are directly referenced in the consultation response made by the Environment Agency. They are satisfied that the proposal will not cause harm to these, subject to the imposition of conditions.
- 6.9 The site is located within a Flood Zone 1 and therefore is not prone to fluvial flooding. However, in accordance with the requirements of the NPPF and its technical guidance, schemes must consider the implications of all types of potential flood risk and accordingly the FRA addresses the implications of surface water flood risk. It proposes the implementation of a Sustainable Urban Drainage (SUDs) scheme on the site. The land is to be divided into two catchments; the northern area adjacent to the former railway line and the southern area adjacent to the A40.

Runoff from these catchments will be directed into attenuation ponds with eventual discharge to an existing watercourse. The FRA advises that the discharge from the outfall will be less than the greenfield runoff rate.

- 6.10 The Council's Land Drainage Engineer has commented in detail on the proposal and has raised no objections subject to the implementation of conditions. His comments take into account the points raised by local residents about localised flood events in the north western part of the site along an unnamed watercourse. The Land Drainage Engineer comments that this is possibly caused by the backing up of flows at the culvert underneath the former railway embankment and his recommendation to impose conditions includes a provision for investigative works to be undertaken prior to the commencement of any development.
- 6.11 The updated EA Flood Maps for Surface Water illustrate that there is no significant risk of surface water flooding to the development site and the FRA demonstrates that, through the provision of a SUDs scheme, the proposed development can be carried out in a sustainable way. The fact that there will be a reduction in greenfield runoff rates, combined with further investigation works of the culvert as recommended by the Council's Land Drainage Engineer should serve to reduce the frequency of flood events caused by surface water runoff. On the basis of the advice received it is concluded that the technical matters raised regarding surface water flood risk can be addressed. The proposal is therefore considered to accord with the requirements of Policy DR4(3) of the HUDP and the NPPF.

Landscaping Proposals

- 6.12 The primary function of the landscaping proposals is to provide a buffer between the employment uses on the site and the residential areas of Parsons Croft and The Glebe to the west. The site is currently dominated by improved grassland and the buffer retains this open character. Planting strips around the six development areas have the combined effect of defining the individual plots, whilst providing a transition from the open character of the surrounding area to the built form. The establishment of a buffer also accords with the approach outlined in the Model Farm Supplementary Planning Document.
- 6.13 The road frontage will be dominated by an area of orchard planting. The new pedestrian and cycle links pass through this area and it will also be available for public use more generally. It will provide an attractive setting for the development and, whilst the plans show trees planted in a linear fashion there may be a preference for this to be undertaken on a slightly more ad hoc basis. The recommendation includes conditions requiring the submission of details in respect of planting and the matter is most appropriately addressed in this way.
- 6.14 The Landscape Character and Visual Assessment submitted with the application takes the Council's Landscape Character Assessment as a point of reference and the landscape proposals are considered to be a reflection of the landscape type. Existing features are retained where possible, but the scheme mitigates the loss of existing hedgerows through their replacement. The pond that is to be retained, and the attenuation basins within the landscaped area also represent an opportunity for biodiversity enhancement and it is considered that the proposals accord with Policies NC1, NC8, LA2 and LA6 of the HUDP.

Other Environmental Concerns

- 6.15 Concerns raised by local residents about potential nuisance that might be caused from lighting within the site can be addressed through the imposition of conditions. A lighting schedule for the adopted areas can be requested prior to commencement and details for individual plots can be required as part of individual reserved matters submissions.

Conclusion

- 6.16 The principle of developing the site for employment generating uses is established by Policy E3 of the HUDP. The technical matters regarding drainage, means of access and connectivity to Ross on Wye can either be addressed through the imposition of conditions or are provided for in the details as submitted. The proposal does represent a sustainable form of development and is considered to accord with the Herefordshire Unitary Development Plan and the National Planning Policy Framework. The application is therefore recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A02 – Time limit for submission of reserved matters**
2. **A03 – Time limit for commencement**
3. **A04 – Approval of reserved matters**
4. **A05 – Plans and particulars of reserved matters**
5. **F06 – Restriction on use**
6. **The development hereby approved shall be limited to the following combined gross external floor areas for Class B uses as defined by the Town & Country Planning (use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification:**
 - **B1 – 16,500 square metres gross floor area**
 - **B2 – 8,900 square metres gross floor area**
 - **B8 – 4,000 square metres gross floor area**

Reason: In order that the local planning authority can consider the implications on highway safety and the network capacity of any intensification in use and to comply with Policy T8 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

7. **G10 – Landscaping scheme**
8. **G11 – Landscaping scheme - implementation**
9. **G14 – Landscape management plan**
10. **H03 – Visibility splays**
11. **H17 – Junction improvements/off site works**
12. **H31- Outline travel plan**
13. **I33 – External lighting**
14. **The recommendations set out in Section 5.2 of the ARUP ecologist's report dated December 2013 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a habitat**

protection and enhancement scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

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

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of Herefordshire Unitary Development Plan. To comply with Herefordshire Council's Policy NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006

15. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure the protection of controlled waters and to comply with Policy DR7 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure the protection of controlled waters and to comply with Policy DR7 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

17. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:
- a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice.
 - b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors.

- c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority and to comply with Policy DR10 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

18. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: To ensure that potential contamination is removed or contained to the satisfaction of the local planning authority and to comply with Policy DR10 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

19. L01 Foul/surface water drainage

20. L02 No surface water to connect to public system

21. L03 No drainage run-off to public system

22. Prior to the commencement of the development hereby approved a detailed survey of the existing culvert under the former railway embankment shall be completed. The survey should establish whether the culvert is blocked or damaged and that it has sufficient capacity to accommodate the outflows from the proposed attenuation ponds.

Prior to the commencement of any development, the findings of the report shall be submitted to and approved in writing by the local planning authority. If the report concludes that that the culvert has insufficient capacity the report should also recommend a range of measures to be implemented to ensure that sufficient capacity is available. The development shall be carried out in accordance with the approved details.

Reason: To ensure that effective surface water drainage facilities are provided for the proposed development and to protect nearby dwellings from an increased risk of flooding in compliance with Policy DR4 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

INFORMATIVES:

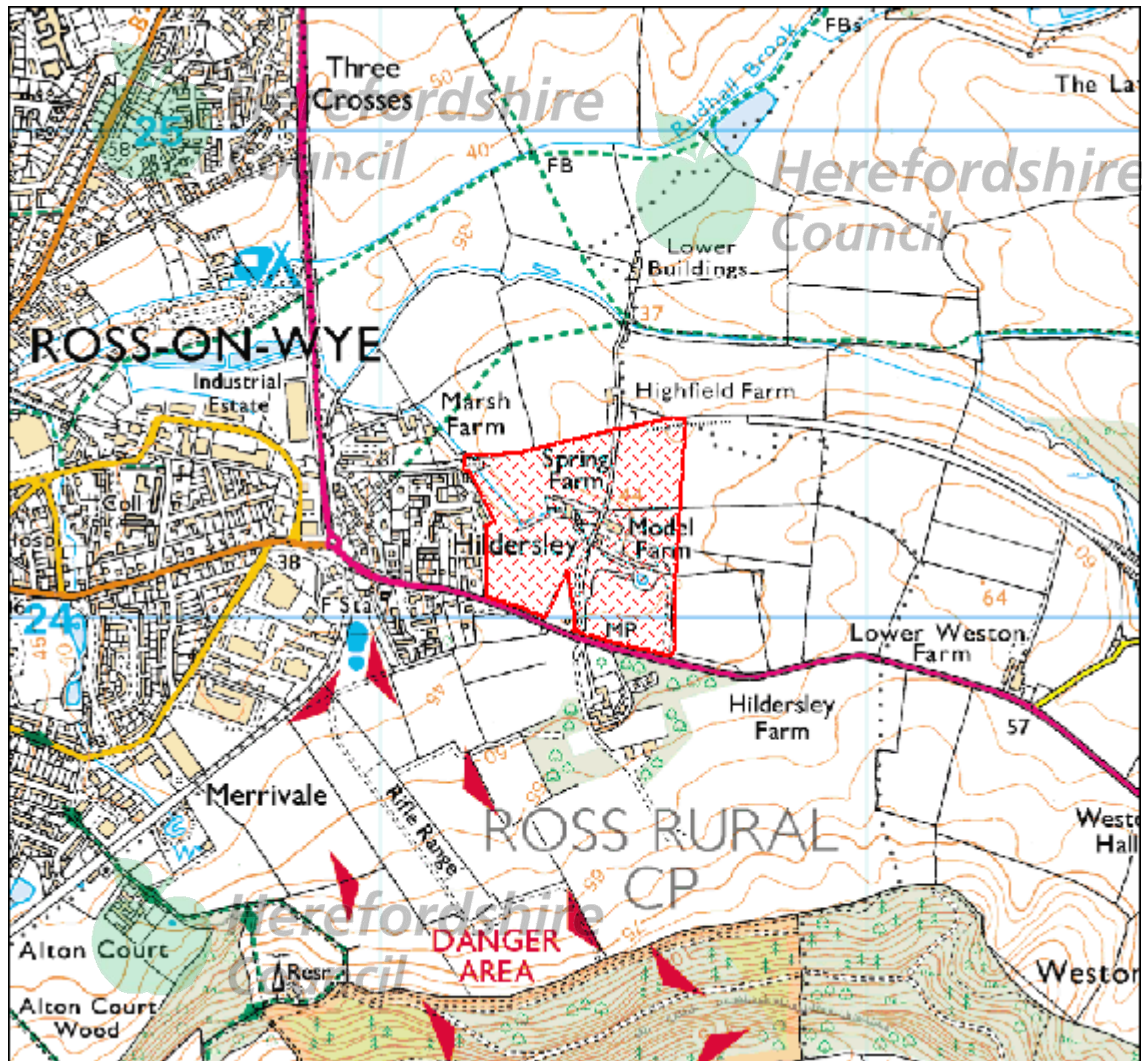
1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **N11A Wildlife and Countryside Act 1981 (as amended) - Birds**
3. **N11C General**
4. **HN04 Private apparatus within highway**
5. **HN28 Highway Design Guide and Specification**
6. **HN05 Works within the highway**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 133411/CD

SITE ADDRESS : MODEL FARM, HILDERSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7NN

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