

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>4 MARCH 2015</b>
<b>TITLE OF REPORT:</b>	<p><b>143780 - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF A NEW GARDEN AND ESTATE MACHINERY SHOWROOM, OFFICES, WORKSHOP AND STORAGE BUILDING, NEW ACCESS, PARKING AND ALTERATIONS TO ROCKFIELD ROAD JUNCTION AT FORMER TAN BROOK CENTRE, ROCKFIELD ROAD, HEREFORD, HR1 2UA</b></p> <p><b>For: Mr Smith per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Pontrilas, Hereford, Herefordshire HR2 0EL</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=143780&amp;search=143780">https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=143780&amp;search=143780</a>
<b>Reason Application submitted to Committee – Council Land</b>	

**Date Received: 19 December 2014    Ward: Aylestone    Grid Ref: 351737,240400**  
**Expiry Date: 20 March 2015**  
 Local Members: Councillors NP Nenadich and DB Wilcox

**1. Site Description and Proposal**

- 1.1 Planning permission is sought for the demolition of existing buildings at the Tan Brook Centre, Rockfield Road, Hereford and replacement with a new headquarters for Ron Smith Ltd. The proposal arises as a consequence of the Compulsory Purchase Order process for the Hereford Link Road, which necessitates acquisition of Ron Smith's current premises on Widemarsh Street. The application follows pre-application discussion, which has led to design revisions.
- 1.2 The application site is home to the former Tan Brook Adult Training Centre and a further building that has the benefit of planning permission for textile recycling and associated ancillary retail element (113198/F). The site is now vacant. The site, which extends to 0.24ha, is within and at the gateway to the Aylestone Hill Conservation Area, but also falling in an area characterised by a mixture of uses. The site, if not the existing buildings, is of some prominence at the entrance to the Conservation Area and its position in the foreground of the Grade II listed Aylestone Court.
- 1.3 As well as being within the Conservation Area the site, despite its non-conforming current lawful uses, is also identified within the UDP as safeguarded employment land; the Rockfield Road industrial estate extending south-eastwards from the site. Elsewhere the site is bounded to the frontage by the A438 Aylestone Hill road and embankment associated with the railway crossing; the railway forming the site's south-western boundary. Moving northwards uphill the area is predominantly residential, there being several designated heritage assets locally, most notably

Aylestone Court Hotel and Nos. 8 & 10 Aylestone Hill, all of which are Grade II listed. The residential properties are generally large-scale.

- 1.4 The existing buildings are generally single storey with flat roofs and brick facing. They are unsightly if unobtrusive. The footprint is roughly 30m square. The site slopes appreciably down from Rockfield Road towards the railway line and the A465 Aylestone Hill carriageway is also significantly higher than the site. There is an embankment and the pavement edge is marked by black iron railings. This embankment is in separate ownership and does not form part of the application site. Mid C20th brick built industrial units to the rear (SE) are tight on the common boundary.
- 1.5 As a consequence of the topography and known underground constraints (network rail easements, drains and gas pipeline), the proposed replacement building is set back within the site so as to be in close proximity to the rear of the adjoining industrial units. This is not dissimilar to the existing relationship, albeit the proposed building would, by virtue of its continuous elevation, be likely to have a greater impact than the existing buildings.
- 1.6 The building is, in effect, two-storey with the lower storey dedicated to storage, workshop and offices and the upper ground floor, from which level access would be achieved from Rockfield Road, given over to the main retail display area and incidental offices, staff facilities and storage. The proposal also involves widening of the junction of Rockfield Road and Aylestone Hill and the provision of a footway from the site entrance to tie into the existing footway on Aylestone Hill. Parking for twenty one vehicles is located at the front of the building in two ranks with central aisle. A single disabled bay is located parallel to Rockfield Road, outside the main entrance.
- 1.7 The building has a shallow pitched roof behind a parapet. Facing materials comprise architectural cladding, split faced stonework and brickwork (at the lower level) with powder-coated aluminium glazing, recessed by 0.5m to give the frontage some depth. The parapet is higher around the retail display area in order to provide emphasis to the entrance and differentiate the uses within the building.
- 1.8 The application is accompanied by a Planning, Design and Access Statement, incorporating a Heritage Assessment. This sets out the rationale for the design approach having regard to the site context and constraints, including a Welsh Water main and gas main.

## **2. Policies**

### **2.1 Herefordshire Unitary Development Plan**

S1	-	Sustainable Development
S2	-	Development Requirements
S7	-	Natural and Historic Heritage
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
E5	-	Safeguarding Employment Land and Buildings
HBA4	-	Setting of Listed Buildings
HBA6	-	New Development Within Conservation Areas
HBA7	-	Demolition of Listed Buildings within Conservation Areas
NC1	-	Biodiversity and Development

2.2 National Planning Policy Framework. In particular:-

Paragraph 14 -	The Presumption in Favour of Sustainable Development
Paragraph 17	- Core Planning Principles
Chapter 1	- Building a Strong, Competitive Economy
Chapter 4	- Promoting Sustainable Transport
Chepter 7	- Requiring Good Design
Chapter 12	- Conserving and Enhancing the Historic Environment

2.3 The pre-submission consultation on the Draft Local Plan – Core Strategy closed on 3 July. At the time of writing an Independent Inspector is in the process of examining the Core Strategy in order to determine its soundness. The majority of the Core Strategy policies were subject to objection and, as the examination in public is not yet complete, can be afforded only limited weight for the purposes of decision making.

SS1	Presumption in Favour of Sustainable Development
SS4	Movement and Transportation
SS6	Addressing Climate Change
MT1	Traffic Management, Highway Safety and Promoting Active Travel
LD1	Local Distinctiveness
LD2	Landscape and Townscape
LD3	Biodiversity and Geodiversity
SD1	Sustainable Design and Energy Efficiency
SD3	Sustainable Water Management and Water Resources
ID1	Infrastructure Delivery

2.4 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 113198/F: Textile recycling facility with associated ancillary retail offer (smaller building on site): Approved 20<sup>th</sup> December 2011

### 4. Consultation Summary

#### Statutory Consultations

4.1 Welsh Water: No objection subject to conditions

4.2 Network Rail: No objection on the basis of the amended site layout, which now excludes land in Network Rail ownership.

#### Internal Council Advice

4.3 Transportation Manager: No objection subject to conditions.

The proposal includes the widening of the initial section of Rockfield Road, which will facilitate traffic entering from Aylestone Hill should a vehicle be waiting to leave Rockfield Road. The proposed footway on the western radius will also be of benefit. Such works should be at the applicant's expense and may require a Section 278 agreement for the works within adopted highway.

The likely traffic generation for the proposed use is likely to be little different to that for the current permitted use and improvements to Rockfield Road are included in the proposals. Therefore I have no objections.

#### 4.4 Conservation Manager (Historic Buildings): No objection subject to conditions

The application site is in the south-west corner of the Aylestone Hill Conservation Area. It is bounded by Rockfield Road, Aylestone Hill and the railway line with small commercial units to the south boundary. To the east of the site, across Rockfield Road, is Aylestone Hill House (now Aylestone Court Hotel), a grade II listed late 18<sup>th</sup> century three-storey building, which is representative of the south side of Aylestone Hill and its large detached houses on spacious plots.

The existing building on the site is a brick built building of largely single storey layout which has until recently been used as an adult training centre. The building dates from about 1965 and was constructed on former allotment land. It is not considered that the building is worthy of retention on historic or architectural grounds provided that the replacement represents and enhancement of the conservation area.

The Local Plan heritage policies relevant to this application are HBA4 (setting of a listed building), HBA6 (new development within a conservation area) and HBA7 (demolition within a conservation area).

The proposal shows a new showroom and associated workshops for an existing garden machinery business which needs to relocate. Pre-application advice was given on several iterations of the scheme and progress was made towards a satisfactory conclusion.

The submitted scheme would see the demolition of the existing building. This building is not a positive contributor to the conservation area and does not provide an attractive gateway into the city of Hereford when approached from Aylestone Hill. Therefore its replacement is considered beneficial and complies with Policy HBA7.

The replacement building would be located towards the south of the site to allow access and manoeuvring space between the new building and Aylestone Hill, with the access to the site off Rockfield Road. The building would be a very simple rectangle on plan and elevation as it has a shallow pitched roof hidden behind a parapet wall. It would consist of two levels, making use of the change in levels on the site already. The proposed showroom would be located on the upper floor to be on the same level as vehicular and pedestrian traffic on Aylestone Hill.

The elevations are simple and unadulterated but use different materials to visually designate difference areas of the building. The showroom area is the most prominent and consists of large areas of glazing bordered by a frame of a seamless material (yet to be finalised) which provides a raised parapet to the roof line thus emphasising this element. The other proposed materials in the palette are brick and dark split-faced block to the lower floor and a dark panel to the upper floor.

Solar panels are proposed for the roof which is considered acceptable in principle, though their appearance and positioning should be such that their visibility is kept to a minimum behind the parapet wall.

The character of the proposal is a distinct improvement compared with the retail sheds over the railway to the west and is generally considered to be acceptable for this location, on the junction of the residential and commercial areas of Hereford.

The building lies across Rockfield Road from Aylestone Hill House, a grade II listed building. The setting of this heritage asset will be altered by the proposals but it is not considered that the

effect will be adverse. There is clearly a change in appearance and character between the east and west sides of Rockfield Road and has been for many decades. The proposal site sits on the junction of commercial and non-commercial space. The building takes the use from one side and the increased quality of appearance from the other.

Overall it is considered that the proposed scheme satisfies Policies HBA6 and HBA4 in relation to the conservation area and the adjacent listed building.

Conditions will be required for the palette of materials, the type of solar panels (preferably dark framed with dark spacers and non-reflective glass to reduce glare) and the positioning of the solar panels.

#### 4.5 Economic Development: No objection

Under the Herefordshire Unitary Development Plan the site is identified as 'safeguarded employment land'. Positioned on the site is a range of single storey flat roofed brick units, which has been recently occupied by a recycling charity. Adjacent to the site is Brook Retail Park and the Rockfield Industrial Estate, which consists of 12 light industrial units with mixed; retail, service and manufacturing based uses. The proposed use is classified as a Sui Generis employment use. The new development facilitates business relocation/expansion and does not result in 'the loss of existing, permitted or proposed employment and building, to non-employment uses' (in accordance with policy E5).

In terms of 'safeguarding employment', Ron Smith & Co has stated that they have 'over 30 employees based at their Hereford and Worcester branches'. The development and expansion of new facilities will enable them to retain their existing workforce and create 12 new full time jobs at their Hereford branch.

From an economic perspective we strongly support the application on the grounds that:

- 1) The development proposals are of scale and character that supports existing uses adjacent to the site (Rockfield Industrial Estate and Brook Retail Park).
- 2) The site is not contrary to the delivery of policy E5 of the Herefordshire UDP (safeguarding employment land and buildings).
- 3) The proposal supports the continuation and expansion of Ron Smith & Co's business operations for their Hereford branch.
- 4) The proposal helps safeguard and create additional jobs.

#### 4.6 Land Drainage Officer: No objection subject to conditions.

#### 4.7 Conservation Manager (Ecology): Comments awaited

### 5. Representations

#### 5.1 Hereford City Council: No comment

#### 5.2 One letter of objection has been received from Mr J Llewellyn, 3 Aylestone Court Mews, Rockfield Road.

The objection relates to concerns over highway safety.

- 1) The increase in traffic to the development, especially HGVs, will conflict with the use of Rockfield Road by pedestrians (including people with impaired mobility). There is a poorly maintained white line on the eastern side of Rockfield Road which is supposed to provide space for pedestrians (including people accessing Aylestone Court Mews). In reality HGVs and vans in particular cross over this white line and I have nearly been hit twice. I am not convinced that widening Rockfield Road will provide enough space for pedestrians on the eastern side, and the proposals for a footway are only to / from the development on the western side. More HGVs and vans could mean greater risks without provision of better pedestrian facilities on the eastern side of Rockfield Road.
- 2) I am very concerned about the increase in traffic turning into and out of Rockfield Road, and potential implications for highway safety. There are particular challenges turning right into Rockfield Road from the railway bridge and turning right out of Rockfield Road up to Aylestone Hill (in particular as a result of traffic conflicts with the busy right turn filter lane from Aylestone Hill into Barrs Court Road). There is no detail about any proposed junction improvements, and whether these have been subject to a safety audit. It should also be noted that this junction is crossed by hundreds of college students from the 6th form college.

Therefore I would ask that this application is refused until there are clear and detailed proposals for pedestrian and more general highway safety improvements to Rockfield Road and the junction with Aylestone Hill.

- 5.3 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

### *Planning Policy*

- 6.1 The Unitary Development Plan (UDP) remains the Development Plan for the county. Weight may only be attributed to those saved policies that are consistent with the NPPF (paragraph 215 refers). In this instance the saved UDP policies that refer to the pursuit of good, sustainable design and the protection and conservation of heritage assets (DR1, HBA4, HBA6 and HBA7) are considered to accord with the NPPF at Chapters 7 and 12 in particular. It is acknowledged, however, that these policies do not contain the cost-benefit analysis explicit in the NPPF policies – Paragraph 134 being an example. For instance whilst HBA4 tolerates no harm to the setting of a listed building, 134 says that less than substantial harm to the significance of a designated heritage asset may be weighed against the public benefits of a scheme.
- 6.2 In this instance the statutory duty to have special regard to the desirability of either preserving or enhancing the character or appearance of the Conservation Area and the setting of the adjoining listed building must also be accounted for. This duty is repeated in saved HUDP policies HBA4 and HBA6, but is a statutory duty that sways the balance strongly towards the conservation of heritage assets.

### *Impact on Designated Heritage Assets*

- 6.3 In this instance, the site in its existing condition makes a poor contribution to the character or appearance of the conservation area. The conservation area designation was made in 1969 and intended to protect an important route into the city centre. It is supposed that the application site was included as a gateway/bookend to the conservation area. The existing buildings are vacant and likely to deteriorate in condition. The site is not maintained and

already heavily littered. In your officers' opinion the site is in need of redevelopment and the loss of the existing buildings is not prejudicial to the character or appearance of the conservation area.

- 6.4 The Conservation Manager agrees with this perspective and her detailed response at 4.4 provides commentary on the scheme's impact on both the character and appearance of the conservation area and the setting of the adjoining listed building. It is concluded that the scheme is consistent with the objectives of saved UDP policies HBA4, HBA6 and HBA7 and NPPF heritage policies, in that it represents local enhancement of the appearance of the conservation area and has no more than a neutral impact on the setting of the listed building. It is concluded, therefore, that the statutory tests enshrined in the Planning (Listed Buildings and Conservation Areas) Act 1990 are met.

#### *Transport*

- 6.5 At paragraph 32 the NPPF confirms that applications should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The Transportation Manager identifies improvements that the scheme will deliver at the junction of Aylestone Hill and Rockfield Road by allowing for part of the application site to be dedicated for the widening of Rockfield Road to 6.7m for the first 24m; providing an additional 3m to the width of the carriageway. A 2.0m footway will be provided around the junction radius on the city side and tactile paving installed. This increased width will allow for two vehicles to pass at the junction, something which can be difficult in present conditions.
- 6.6 The right-turn on exit from Aylestone Hill can be a difficult manoeuvre in the context of the right-turn lanes for Barrs Court and Southbank Road respectively. This is an existing issue and one that the scheme is unlikely to exacerbate to a material degree. The objection from the neighbour refers to the increase in HGV traffic and vehicle movements associated with the scheme and traffic more generally. It should be noted, however, that predicted HGV movements will be limited, with most deliveries being undertaken by van or rigid-based 7.5 tonne lorries. Moreover there is little evidence to suggest that the development will increase traffic movements when compared to historic usage.
- 6.7 Officers consider that the scheme will represent improvement to the existing conditions and will not result in residential cumulative impacts that could be described as severe. The scheme is considered to accord with the saved UDP policy DR3 (Movement) and NPPF guidance at Chapter 4.

#### *Economic Development*

- 6.8 The proposal is for a sui generis use and officers are conscious of the preamble to saved UDP E5, which gives some latitude where the location of certain sui generis uses on safeguarded employment land is concerned. Officers are also conscious of NPPF advice, which may be argued to take precedence over UDP policies in any case, which cautions against the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.
- 6.9 It is also the case that the existing lawful use of the site is not a traditional employment use falling within Class B and that the development is a necessary relocation of an existing well-established business that has been seeking alternative premises on account of having to move from their existing premises to facilitate delivery of the Edgar Street Link Road. In these circumstances the principle of development is acceptable in terms its impact on the supply of employment land and buildings.

### *Other Matters*

- 6.10 The building is located towards the rear of the site, in close proximity to the units to the rear. However, officers do not consider the impact of the building's scale and mass so prejudicial as to warrant refusal on amenity impacts. The presence of windows in the flank elevations of the units most closely affected would compensate for any loss of daylight to windows in the elevation facing the application site. The applicants have been in discussion with the occupiers of Unit 1 Rockfield Road and have undertaken to reposition the proposed bike shelter in order to further mitigate any impact on light to adjoining windows. The scheme is considered to accord with saved UDP policy E8 and the NPPF, which requires that all developments 'secure high quality design and good standards of amenity for all existing and future occupants of land and buildings.'

### *Summary and Conclusion*

- 6.11 The site is a brownfield site adjacent the city centre within the Aylestone Hill Conservation Area. Existing buildings on site date from the mid C20th and have no architectural or historical interest. Demolition is acceptable within this context. The proposed building is considered to enhance the character and appearance of the conservation area. The location on site respects the setting of the adjoining listed building. Officers conclude there is no harm to the significance of either of the two designated heritage assets.
- 6.12 The scheme also promotes benefits in terms of the relocation of an existing business that will:
- 1) Enable the Edgar Street Link Road to proceed;
  - 2) Result in improvements to the junction of Aylestone Hill and Rockfield Road to the benefit of the wider industrial estate and pedestrians;
  - 3) Enable the business to be retained within the county with potential growth;
  - 4) Enhance the character and appearance of the Conservation Area.
- 6.13 The proposal is therefore considered to represent sustainable development that accords with all aforementioned saved UDP policies, NPPF policies and statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.14 The application is recommended for approval subject to the following conditions.

### **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1. A01 Time limit for commencement (full permission)**
- 2. B03 Development in accordance with amended plans**
- 3. C01 Details of external materials**
- 4. H13 Access, turning and parking area**
- 5. H17 Junction improvement (Aylestone Hill & Rockfield Road) and off-site works**
- 6. H29 Covered and secure cycle parking provision**
- 7. I51 Details of slab levels**



- 8. **I16 Restriction of hours during construction**
- 9. **L01 Foul/surface water drainage**
- 10. **L02 No surface water to connect to public system**
- 11. **L03 No drainage run-off to public system**
- 12. **L04 Comprehensive and integrated drainage of site**
- 13. **G09 Details of boundary treatments**
- 14. **G10 Landscaping scheme**
- 15. **G11 Landscaping scheme - implementation**

**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. **HN01 Mud on highway**
- 3. **HN05 Works within the highway**
- 4. **HN07 Section 278 agreement**
- 5. **HN10 No drainage to discharge to highway**

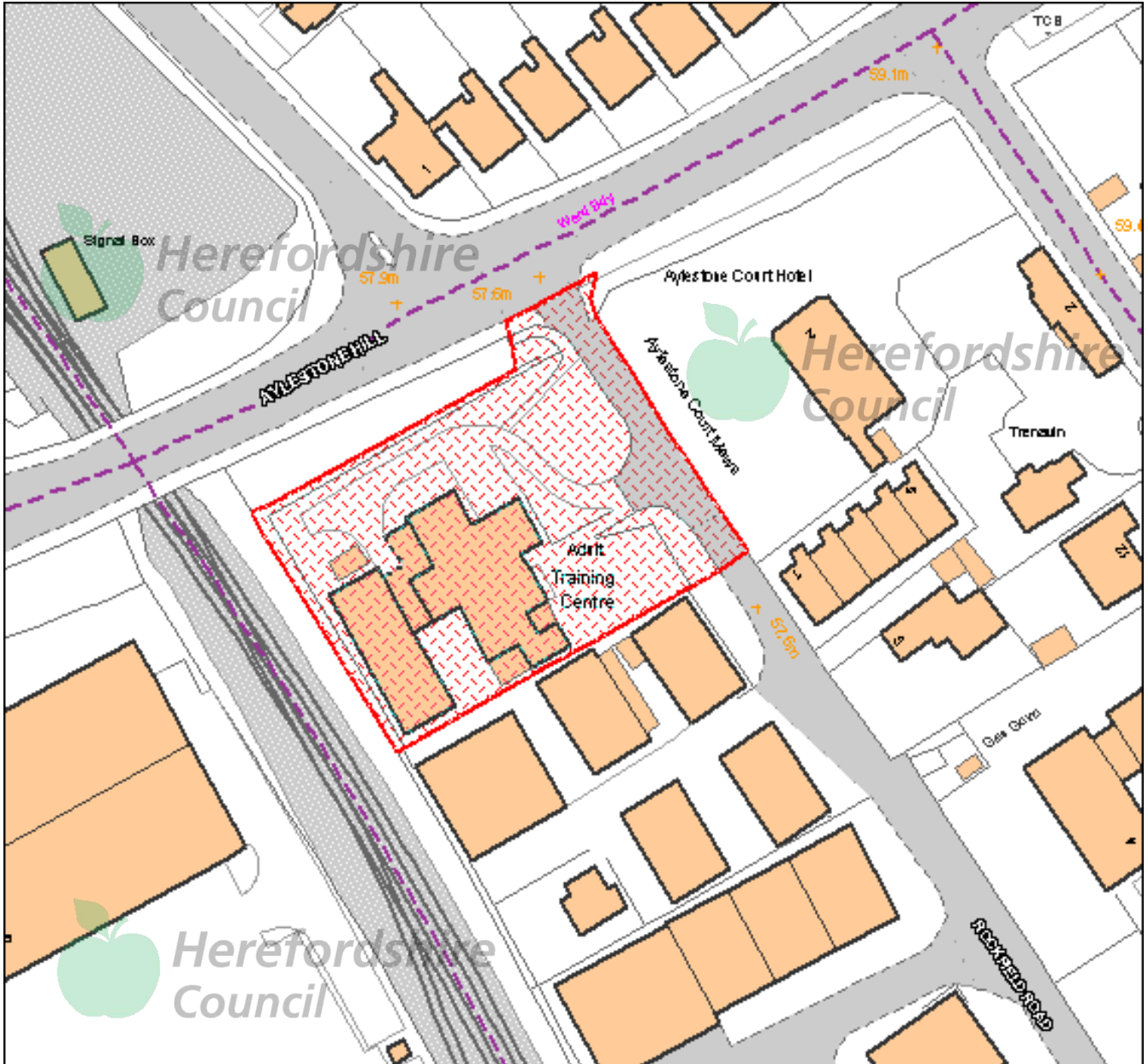
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** 143780

**SITE ADDRESS :** FORMER TAN BROOK CENTRE, ROCKFIELD ROAD, HEREFORD, HR1 2UA

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