

**11 DCSE2006/1358/O - ICT DEVELOPMENT, CUSTOMER SUPPORT AND SALES OFFICES AT MUDDY BOOTS SOFTWARE LTD, PHOCLE GREEN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7XU****For: Muddy Boots Software Ltd. per Paul Dunham Associates, 19 Townsend, Soham, Cambridgeshire, CB7 5DD****Date Received: 4th May 2006****Ward: Old Gore****Grid Ref: 62502, 27031****Expiry Date: 29th June 2006**

Local Member: Councillor J.W. Edwards

**1. Site Description and Proposal**

- 1.1. The application site is immediately to the south of the modern workshop, warehouse and offices (Technicrop) on the unclassified road linking the A449 (Ross - Ledbury road) and Phocle Green. The original building in the existing complex was granted planning permission in 1991 to distribute agrichemicals to farmers in Herefordshire and adjoining counties. Planning permission has been granted for a number of major new buildings and extensions. The business diversified into soil testing (Cotswold Analytical Laboratories) and developing software (Muddy Boots) for the farming industry. Although Technicrop has been sold the land has been retained by the founders of that company who now rent part of their former premises as offices for Muddy Boots. These offices are now inadequate both in terms of space and layout with the growth in demand for Muddy Boots' products. It is proposed therefore to erect a new single-storey office building on this 0.2 ha. site.
- 1.2 The application is for outline permission with only means of access to be determined at this stage. The access to Technicrop would be used with a short link off the existing access drive leading to a car park for 29 cars. The office floorspace would be about 550m<sup>2</sup>.
- 1.3 An earlier planning application (SE2005/3509/F) on land to the north of Technicrop and including full details of the building was refused permission in December 2005 for the following reason:

"The proposed offices would be prominently sited in open countryside and by adding to the existing group of commercial and agricultural buildings would harm the rural character of the area. The proposal would conflict therefore with Policies C.1, ED.6, GD.1 and T.1A of South Herefordshire District Local Plan, and Policy E.11 and Strategy S.2 of Revised Deposit Draft of Herefordshire Unitary Development Plan."

**2. Policies****2.1 Department of the Environment**

PPS1	-	Delivering Sustainable Development
PPG4	-	Industrial and Commercial Development and Small Firms

PPS7 - Sustainable Development in Rural Areas

## 2.2 Hereford and Worcester County Structure Plan

Policy E6 - Development in Rural Areas outside the Green Belt

## 2.3 South Herefordshire District Local Plan

Policy C1 - Development Within Open Countryside  
Policy ED3 - Employment Proposals within/adjacent to Settlements  
Policy ED5 - Expansion of Existing Businesses  
Policy ED6 - Employment in the Countryside  
GD1 - General Development Criteria  
Policy T1A - Environmental Sustainability and Transport

## 2.4 Herefordshire Unitary Development Plan (Deposit Draft)

Policy E6 - Industrial Development in Rural Areas  
Policy E7 - Other Employment Proposals in Hereford and the Market Towns  
Policy E8 - Design Standards for Employment Sites  
Policy E11 - Employment in the Countryside  
Policy E15 - Protection of Greenfield Land  
Policy S1 - Sustainable Development

## 3. Planning History

3.1 No previous applications relating to this site.

## 4. Consultation Summary

### Statutory Consultations

4.1 No statutory or non-statutory consultations required.

### Internal Council Advice

4.2 The Traffic Manager's comments are awaited.

4.3 Economic Development Manager's comments are awaited.

## 5. Representations

5.1 The applicant has submitted a planning statement and summary. The latter is as follows:

### **“Overview**

Muddy Boots Software is a successful example of a rural farming based business, diversifying its operations within the food industry to become an economically sustainable business within the local community.

Muddy Boots is experiencing rapid growth in demand for its products and services fuelled by the continual consumer concerns on food safety and its origins.

Recent successes with organisations such as Marks and Spencer, Tesco, Unilever and the Compass Food Service Group has put Muddy Boots at the forefront of the industry, with these influential references and with the global nature of food sourcing Muddy Boots overseas growth is poised to accelerate.

The business has some significant challenges if it is to capitalise on its unique position, however it is already facing current short term business challenges:

- Constraint on physical accommodation
- Competitive demand for skilled ICT personnel

#### **The Case:**

- New build provides an opportunity to design and develop facilities that meet the current requirements of the business, such as open plan office accommodation that improves inter-departmental communication, one the key requirements in developing a team based philosophy amongst IT individuals who are naturally introspective.
- Meets the business philosophy to provide staff and visiting customers with an unrivalled work environment, that other organisations struggle to compete with. The development of Work/Life Balance facilities, Washroom, Changing and Exercise facilities have significant appeal to the high percentage of current and future staff that would cycle to and exercise at work if the opportunity were provided. An important contribution to Muddy Boots environmental sustainability policy criteria.
- Maintains the interdependency the businesses on site have with one another, including IT infrastructure, IT services, shared administration resources and management. Without this symbiotic relationship some businesses may not be viable.
- Basic site services such as drainage and surface water provision, power and other services can comfortably accommodate further development. Significant investment in site communication services and IT infrastructure mean that these costs would not incur.
- New build would improve the current site congestion and segregate the current diverse business activities that compromise current Health and Safety guidelines."

#### 5.2 Parish Council's comments are as follows:

"This is a green field office development. It it was a house (or even a conservatory) it would never be allowed. There must be alternative existing empty offices in Ross or the surrounding area. Access - the road to Muddy Boots is a single track lane with a small number of passing spaces. It has blind corners and it is not capable of sustaining additional traffic. There have been several near accidents and one lorry went into a ditch its driver did not see. Muddy Boots develops agricultural software but it is not an agricultural business and therefore does not need to be located surrounded by fields. If permission is given the Herefordshire Council must do something about the access - either have a 106 agreement with Muddy Boots to put a new road from the A449 to the site (they own the land), or put some kind of traffic calming/road narrowing features at the Phocle end of the road to discourage traffic from using it as a rat run. No entry signs for HGV's are also required at the Phocle end. The felling of trees for the new site is also totally unacceptable."

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

## 6. Officers Appraisal

- 6.1 PPS7 includes a list of objectives for rural areas and key principles to guide development. Sustainable economic growth and diversification is one objective but this must be considered alongside the objective of respect for the intrinsic qualities of the countryside and continued protection of the open countryside for the benefit of all (p.3). More specifically it is a key principle that development should be allowed within existing towns and villages where it benefits the local economy but new building in the open countryside away from existing settlements should be strictly controlled. The Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.
- 6.2 These aims are reflected in the Development Plan and the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft). The policies regarding development in the open countryside are broadly similar in the two documents. However the latter are more up to date and have been supported by the Inspector following a public inquiry and can be given significant weight. The proposed development is considered therefore against policies listed in paragraph 2.4 above. Policy E6 states that "the extension or expansion of existing businesses will be permitted providing that the proposal can be satisfactorily accommodated within the existing site or that suitable land for the purpose is otherwise available." In this case the new offices would not be within the existing site and there are reservations regarding the suitability of the proposed site. Furthermore this is a general policy and the explanatory paragraph (6.5.1) points out that it is important that expansion does not lead to loss of countryside. I consider therefore that the proposal does not fall within the scope of this policy and the more specific policy (E11) dealing with employment in the open countryside is the relevant policy in determining this application.
- 6.3 Policy E11 only allows employment generating uses which can be housed in existing rural buildings or are necessary to meet the needs of agriculture, forestry and mineral working or arise from farm diversification. The current proposal does not fall within these categories and would therefore be contrary to the Council's policies.
- 6.4 The applicant's planning statement (see paragraph 5.2 above) addresses the reasons why permission should be granted. The key issue is whether these are so compelling that an exception should be made to the Council's policies. It is accepted that there could be significant benefit to the business from building new offices on adjoining land. The necessary IT infrastructure is available and problems of retaining staff would not arise. The developer considers that a rural location is advantageous to the business particularly with regard to recruiting skilled personnel in competition with other businesses. It is anticipated that the number of jobs would rise from 15 in 2005 to 30 in 2007. There are also links to the existing businesses of Technicrop that would be maintained. The applicant points out that alternative sites at Ross on Wye (or say) a converted barn or agricultural building would not meet the requirements of the business. The alternative would be a move to the Hereford or the Gloucester/Cheltenham area which would have disadvantages for locally based staff and sever the strong rural identity which is held by the company to be "a significant benefit that many of our high profile customers associate with our company, one of the key elements we believe, that has been at the heart of our business success."

6.5 Nevertheless this is not a business that needs to be in a rural location. It is an international business serving national and multi-national companies rather than being tied to a local area for its trade. The benefits of IT and modern communications allow a rural location, with all its undoubted advantages, but do not require it. The proposal would be clearly visible from public viewpoints. It would be less prominent than the earlier proposal but nevertheless a new office building would harm the area's rural character. The site is not on a regular bus route and not all staff and visitors will wish to cycle or walk to work. The development would therefore be contrary to the Council's policies to encourage sustainable development that does not detract from the attractiveness of the countryside. The case advanced by the applicant does not outweigh this harm.

**RECOMMENDATION**

**That planning permission be refused for the following reason:**

- 1 The proposed offices would be prominently sited in open countryside and by adding to the existing group of commercial and agricultural buildings would harm the rural character of the area. The proposal would conflict therefore with Policies C.1, ED.6, GD.1 and T.1A of South Herefordshire District Local Plan, and Policy E.11 and LA2 and Stragety S1 of Revised Deposit Draft of Herefordshire Unitary Development Plan.**

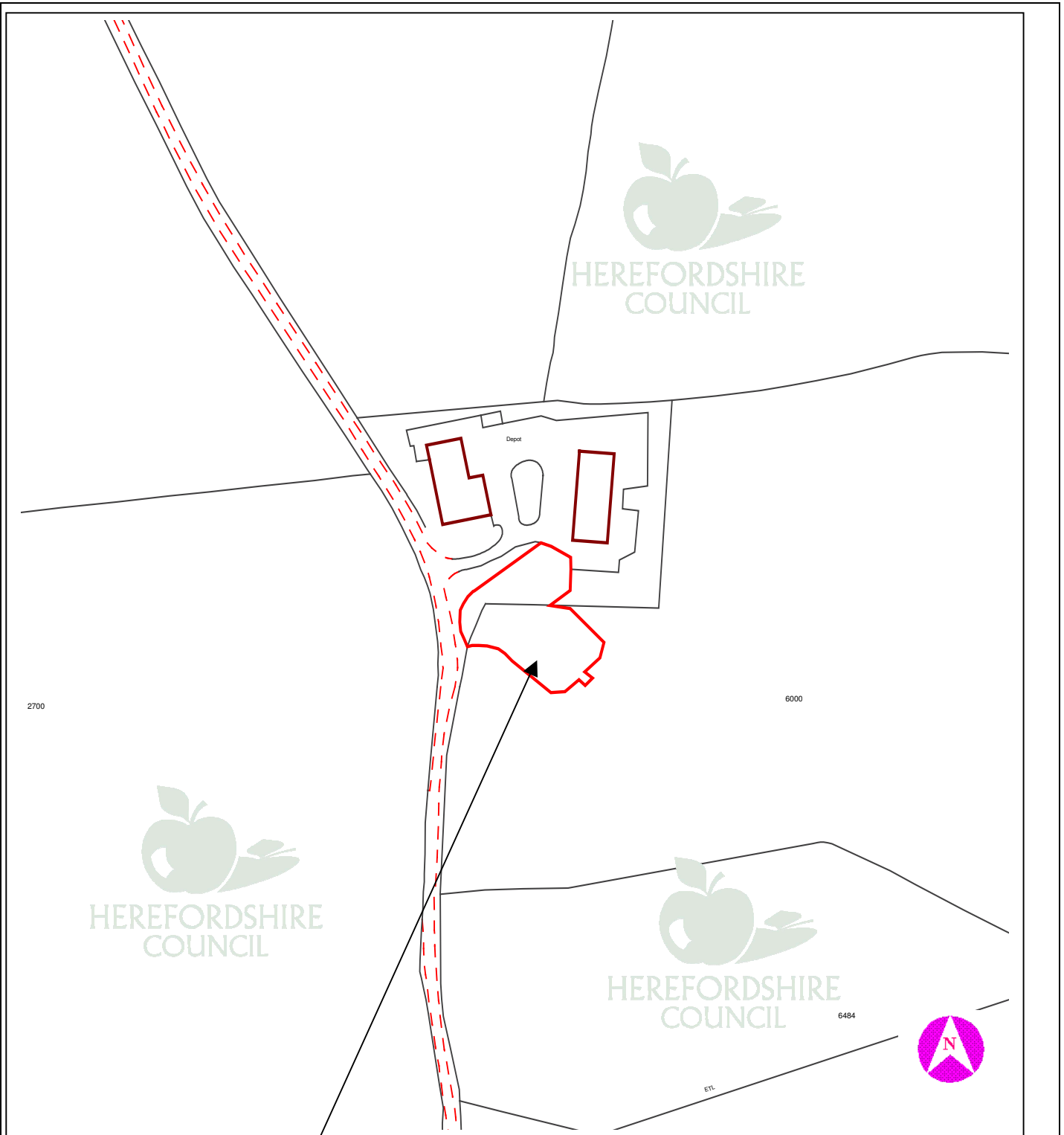
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCSE2006/1358/O

**SCALE :** 1 : 2500

**SITE ADDRESS :** Muddy Boots Software Ltd, Phocle Green, Ross-on-Wye, Herefordshire, HR9 7XU

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