

## DETERMINATION ABOUT WHETHER PROPOSALS MEET THE REQUIREMENTS OF HEREFORD (ROTHERWAS) ENTERPRISE ZONE LOCAL DEVELOPMENT ORDER:

### THE PROPOSAL MEETS THE PROVISIONS OF THE ORDER

**Applicant:**

Rudd Fabrication Services Ltd  
C/O Agent

**Agent:**

Mr Ed Thomas  
Tompkins Thomas Planning  
13 Langland Drive  
Hereford  
Herefordshire  
HR4 0QG

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Date of Application: 21 March 2025

Application No: 250959

Grid Ref:: 352870:238589

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**Proposed development:**

**SITE:** Plot N11, Loverose Way, Rotherwas, Hereford,  
**DESCRIPTION:** The proposal is the erection of a building for a fabrication workshop with ancillary office space and warehousing.

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THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Act and Orders that the proposal described above together with submitted details of the siting, design and external appearance of the building; access arrangements, car parking, hard and soft landscaping and open air storage are **GRANTED PLANNING PERMISSION** by virtue of HEREFORD (ROTHERWAS) ENTERPRISE ZONE LOCAL DEVELOPMENT ORDER subject to the following conditions:

**Regulating the Permission granted by the LDO**

1. The development shall be carried out strictly in accordance with the details and schedules submitted in the Notification dated 21<sup>st</sup> March 2025 except where otherwise stipulated by conditions set out below.
2. Development shall be commenced within 12 months of the date of the Council's confirmation that it is in conformity with the Local Development Order.

**Traffic and Highways**

3. Prior to commencement of development an Outline Travel Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall be consistent with the estate-wide travel plan prepared by Hereford Enterprise Zone Executive Board current at the time and will contain an overview of the transport implications of the proposed

development, a commitment to promote alternative sustainable means of transport for staff, visitors and supporting strategies including travel surveys and related monitoring and reporting provisions.

4. Within 6 months of the development being brought into use, a full Travel Plan, again consistent with the estate-wide travel plan prepared by Hereford Enterprise Zone Executive Board, shall be submitted to and approved in writing by the Local Planning Authority. It should contain a survey of staff and visitor travel patterns, targets for achieving modal shift, measures to be implemented to promote alternative sustainable means of transport for staff and visitors, and associated provisions for future monitoring and reporting. The Travel Plan shall be implemented in accordance with the approved details.

### **Landscape Works**

5. The landscaping proposals submitted under Part B above shall be carried out concurrently with the development and shall be completed no later than the first planting season following the completion of the development. The landscaping shall be maintained for a period of 5 years. During this time, any trees, shrubs or other plants which are removed, die or are seriously retarded shall be replaced with others of similar sizes and species. If any plant fails more than once they shall continue to be replaced annually until the end of the 5 year period. The hard landscaping shall be completed prior to first occupation of the development.

### **Surface Water Management and Flood Prevention**

6. There shall be no direct or indirect discharge of surface water and/or land drainage run off to the public foul sewer.
7. A surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority which incorporates oil interception measures, a sustainable urban drainage system and necessary water attenuation measures, and accords with the principles of section 3.2 of the Rotherwas Drainage and Flood Management Strategy (2009) or any document amending or superseding this strategy. The scheme shall include a schedule of works and details of how the system will be managed and maintained for the lifetime of the development, and shall thereafter be implemented in accordance with the approved details before the development is first brought into use.
8. Details of flood mitigation and resilience measures shall be submitted to and be approved by the Local Planning Authority that comply with requirements set out in the **Rotherwas Drainage and Flood Management Strategy (2009)** or any revision or modification to, or replacement superseding this document, prepared by or for the Local Planning Authority. The development shall be completed in accordance with the approved details.
9. Prior to the first occupation of the development, a Flood Evacuation Management Plan shall be submitted to and approved in writing by the local planning authority. The plan shall include full details of proposed awareness training and procedure for evacuation of persons and property (including vehicles), training of staff; and method and procedures for timed evacuation. It shall also include a commitment to retain and update the plan and include a timescale for revision of the plan.

### **On-site Storage of Oil, Fuels, Chemicals or other Hazardous Substances**

10. There shall be no underground storage of any oil, fuels, chemicals or any other hazardous substances.
11. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank, plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest vessel or the combined capacity of inter-connected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

### **Contaminated Land**

12. No development within each development plot shall take place until the following components of a scheme to deal with the risks associated with contamination of the site are submitted to and approved in writing by the local planning authority:
  - i) A preliminary risk assessment which has identified:
    - all previous uses;
    - potential contaminants associated with those uses;
    - a conceptual model of the site indicating sources, pathways and receptors; and
    - potentially unacceptable risks arising from contamination at the site.
  - ii) A site investigation scheme, based on i) above, to provide information for a detailed assessment of the risk to all receptors.
  - iii) The site investigation results and the detailed risk assessment ( ii) above) based on these, an options appraisal and remediation strategy, if necessary, of the remediation measures required and how they are to be undertaken.
  - iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. This should include any proposed phasing of demolition or commencement of other works.
  - v) Prior to the occupation of any part of the development (unless in accordance with agreed phasing under part iv) above), a verification (validation) report demonstrating completion of the works set out in the approved remediation strategy (iii) and iv)). The report shall include results of any sampling and monitoring. 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 and for the reporting of this to the local planning authority.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

13. If, during the development within each development plot, 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 had submitted, and obtained written approval from the local planning authority, a Method Statement for remediation. The Method Statement must detail how this unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the local planning authority. The report shall include results of any sampling and monitoring. 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 and for the reporting of this to the local planning authority.

### **Other Design Matters**

14. All buildings (accommodating personnel) shall be designed and constructed to meet a minimum standard indicated within Hereford Enterprise Zone Sustainability Scheme or a minimum of a BREEAM rating of 'Very Good'. No development shall commence until authorised certification has been provided confirming compliance with the Hereford Enterprise Zone Sustainability Scheme to the "Tender Stage" (or in the case of BREEAM, Interim Stage) and to "Handover Stage" prior to the occupation of the buildings. Further certification shall be provided in the form of the "Occupation Stage" certification (or in the case of BREEAM, Final Certification) confirming that the development has been constructed in accordance with the agreed standard.
15. Prior to commencement/first use of the development hereby permitted, full details of all external lighting to be installed upon the site (including upon the external elevations of the building) shall be submitted to and be approved in writing by the Local Planning Authority. No external lighting shall be installed upon the site (including upon the external elevations of the building) without the prior written consent of the Local Planning Authority. The approved external lighting shall be installed in accordance with the approved details and thereafter maintained in accordance with those details.
16. Development within Area C identified as adjacent to residential properties (edged and hatched in brown on the map attached at Appendix a) shall be restricted to Use Class B1 Business (Offices [other than those that fall within A2] research and development of products and processes, light industry appropriate in a residential area) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose and subject to the following specific conditions:
- a) No building hereby permitted on any part of the site shall exceed two storeys in height.
  - b) There shall be no raising of existing ground levels on the site.
  - c) There shall be no open air operation of plant, machinery or equipment within the area shown edged and hatched in brown.
  - d) No power tools or machinery shall be used at the premises other than portable hand tools.
  - e) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no service openings other than staff and visitor

pedestrian access shall at any time be located in the on the southern elevation of any building frontage facing on to the Holme Lacy Road.

- f) Vehicle parking and turning areas shall be located to the north of any building upon the site.
- g) During the construction phase, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside of the following times: Monday- Friday 7.00am-6.00pm, Saturday 8.00am-1.00pm nor at any time on Sundays, Bank or Public Holidays.
- h) The earth mound running along the north side of the site edged and hatched in brown that forms a protective buffer between the uses to its north and this site and adjacent dwellings shall be retained and no works to alter its height or width are permitted through this order.

17. Any minor amendments shall be agreed in writing by the Local Planning Authority.

Planning Services  
PO Box 4  
Hereford  
HR4 0XH



**SIMON WITHERS**  
**DEVELOPMENT MANAGER**

Date: 9 April 2025

YOUR ATTENTION IS DRAWN TO THE FOLLOWING NOTE

**Please note:** This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular consent may be required under the Building Regulations.