

6 SE2003/1749/F - CHANGE OF USE FROM GENERAL INDUSTRIAL (CLASS B2) TO STORAGE AND DISTRIBUTION (CLASS B8) FORMER DAYLA LIQUID PACKAGING, ADJACENT TO BILL MILLS, ROSS-ON-WYE, HEREFORDSHIRE

For: H.E. Coombs & G. Owen per Edward Nash Partnership, 23a Sydney Buildings, Bath BA2 6 BZ

Date Received: 11th June 2003 Ward: Penyard Grid Ref: 6253 2169

Expiry Date: 6th August 2003

Local Member: Councillor H Bramer

1. Site Description and Proposal

1.1 The factory which is the subject of this application occupies a rural location near to Bill Mills, a listed former water mill. Planning permission to erect the factory was granted in 1989. The factory was used by Dayla Liquid Packaging until they relocated to Ross on Wye and is now vacant. It is situated on the 'C' class road between Pontshill and Coughton, which is, in part, narrow, with sharp bends. The junction with the A40(T) is about 1.5km to the east.

1.2 It is proposed to use the factory together with the adjoining parking and servicing areas for storage and distribution purposes. The remainder of the buildings occupied by Dayla Liquid Packaging (the mill and adjoining buildings) are not part of this proposal. Planning permission and listed building consent for conversion of these buildings with 5 flats was granted by the Deputy Prime Minister. (SE2000/1727/O and SE2000/3006/L). However planning permission was refused for redevelopment of the factory for new housing. The adjoining mill cottages, which it is understood were used as holiday accommodation or for employees, have now been sold off separately as single dwellinghouses.

2. Policies

2.1 Planning Policy Guidance

PPG.7 The Countryside: Environmental Quality and Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

Policy E6 Industrial Development in Rural Areas
Policy E8 Development of Redundant Rural Buildings
Policy CTC2 Area of Great Landscape Value

2.3 South Herefordshire District Local Plan

Policy C8 Development Within Area of Great Landscape Value
Policy ED4 Safeguarding Existing Employment Premises

Policy ED6	Employment in the Countryside
Policy ED7	Re-use and Adaptation of Rural Buildings for Employment Use
Policy T1A	Environmental sustainability and Transport
Policy T3	Highway Safety Requirements
GD1	General Development Criteria

2.4 Unitary Development Plan – Deposit Draft

Policy E5	Safeguarding Employment Land and Buildings
Policy E8	Design Standards for Employment Sites
Policy S4	Employment

3. Planning History

3.1	SH840069PF	Rebuild existing external staircase and toilet accommodation	-	Approved 06.03.84
	SH840070LA	Rebuild existing external staircase and toilet accommodation	-	Approved 06.03.84
	SH890775PF	Erection of extension for manufacture and storage of soft drinks	-	Approved 05.07.90
	SH890776LA	Erection of new processing factory	-	Approved 05.07.90
	SH951341PF	Two portable buildings for factory staff facilities	-	Approved 09.02.96
	SS990015PF	Continued use of two portable buildings for staff facilities (Former application SH951341PF 20.12.95)	-	Approved 12.03.99
	SE2000/1727/O	Demolition of factory buildings and replacement with 19 dwellings and associated car parking, garages and access	-	Refused 27.09.00
	SE2000/3006/L	Conversion to five dwellings	-	Approved 11.07.02
	SE2000/3013/F	Conversion of mill buildings to five dwellings and erection of 12 dwellings	-	Allow development EXCLUSION of the 12 dwellings and associated garaging and car parking 24.10.02

4. Consultation Summary

No statutory or non-statutory consultations required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

5. Representations

5.1 The applicants' agent requests that the following points be taken into account when the application is determined:

- The survey-based evidence provided by Peter Finlayson Associates plc to the recent public inquiry indicated that the extant B2 use generated up to 20 HGV movements per day (3.6 of PFA proof). The prospective tenants of the building have estimated that they would generate between 12 and 20 HGV movements per day. Therefore the traffic generation impact of the proposals would not be materially different from the extant use.
- The proposal will be beneficial insofar that it will bring a vacant building back into use, providing local employment opportunities.
- B8 uses are generally accepted as being more benign than B2 uses in terms of activities within the demise of a given site. Were planning permission to be granted for a change of use to B8, and implemented, the potential for a future occupier to operate an intense B2 use would be removed, as any such reversion would require a further planning application.

5.2 Parish Council does not object to the change of use from general industrial (Class B2) to storage and distribution (Class B8) provided that the following restrictions are imposed:

- (a) The size and weight of the vehicles should be restricted to under 18 tonnes laden,
- (b) the operating time of the vehicles should be limited to between the hours of 7.00 am and 7.00 pm,
- (c) careful attention should be given to the effects of any lighting on the site bearing in mind the residential development at Bill Mills, and also the impact of lighting on the surrounding countryside.

5.3 Three letters of objection have been received. In summary the following points are made:

- road linking to A40(T) is not suitable for increased numbers of heavy vehicles - 7.5 ton weight limit, no footways (and so unsafe for walkers, cyclists, horseriders and children);
- heavy traffic would damage environment and bridges which could be irreversible;
- site is between 2 groups of houses - in this rural location residents would expect from traffic not a distribution centre;
- harm to amenity of a 24-hour, 7-day-a-week operation with residents suffering, loss of sleep, security and privacy from noise and disturbance;
- permission should not have been granted for the factory and opportunity now to rectify this decision - if land is added to the converted mill flats would increase their value and offset loss of revenue from the modern factory;
- inappropriate location - no positive reason for allowing change of use to occur;
- devalue residential properties

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 The key issues are considered to be whether the local road can accommodate the level of heavy goods vehicles and the effect on the amenities of local residents. On the first issue the anticipated number of HGVs is not likely to exceed that generated by Dayla, for which accurate figures are available. The section of highway between Bill Mills and the A40(T) is not wholly suitable for large lorries, being narrow and winding and already carries considerable number of farm vehicles. There would no doubt be benefits to other road users from the continuing closure of the factory. Nevertheless the lawful use of the factory is for industrial purposes and this use could continue. The number of traffic movements generated in that event can only be a matter of speculation. The Head of Engineering and Transportation, Divisional Surveyor (South) does not object to the proposal. In these circumstances it is not considered that there are sufficient grounds to refuse permission.
- 6.2 Turning to the second issue there is no reason to think, from the evidence submitted that the proposed use would cause more noise and disturbance to local residents than use as factory. Nevertheless the adjoining mill has permission for conversion to residential flats and this use was considered by the Appeal Inspector to be the only practicable use of the mill and to be encouraged in order to safeguard the long term future of this listed building. The conversion would bring residential uses much closer to the application site. It is considered that conditions should be imposed to limit the hours of delivery and requiring submission of a scheme to ensure that appropriate measures to mitigate noise and disturbance are implemented.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 F02 (Scheme of measures for controlling noise)

Reason: In order to protect the amenity of occupiers of nearby properties.

3 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

4 H15 (Turning and parking: change of use - commercial)

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

5 E02 (Restriction on hours of delivery)

Reason: To safeguard the amenities of the locality.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.