

**8 SE2003/2161/F - CHANGE OF USE TO PLUMBING & GENERAL BUILDERS MERCHANTS, ALTERATIONS TO EXTERNAL ELEVATIONS & YARD STORAGE UNIT 7, ASHBURTON ROAD, ASHBURTON INDUSTRIAL ESTATE, ROSS-ON-WYE, HEREFORDSHIRE**

**For: Travis Perkins Plc per The John Parkhouse Partnership, The Manor House, Northampton Lane, Moulton, Northampton NN3 7QS**

**Date Received: 18th July 2003**

**Ward: Ross-on-Wye East**

**Grid Ref: 6060 2436**

**Expiry Date: 12th September 2003**

Local Members: Councillor Mrs A E Gray and Councillor Mrs C J Davis

**1. Site Description and Proposal**

1.1 The application premises comprise a small commercial unit, now vacant but previously used for storage and distribution purposes according to the application form, and an adjoining yard. The premises are within the Ashburton Industrial estate but there are residential properties to the south. The internal floor area including mezzanine would be about 950m<sup>2</sup>.

1.2 It is proposed to use the unit as a plumbing and general builders' merchants. A number of changes to external appearance would be made, primarily repositioning the existing roller shutter doors and insertion of 2 further roller shutter doors on the east elevation to allow forklift access to the main storage building. In addition new pedestrian entrances would be formed in this elevation plus consequent changes to fenestration. The remaining elevations would be unchanged. The yard and forecourt would be organised to provide 10 parking spaces for customers and 13 for staff, the latter being partly at the rear of the buildings adjoining Green Orchard. Bricks, sand and other building materials would be stored in the open along the eastern boundary. A turning area for small delivery vehicles would be provided but HGVs would have to reverse into the site as at present.

**2. Policies**

**2.1 Hereford and Worcester County Structure Plan**

Policy E13

Industrial Development in Urban Areas

**2.2 South Herefordshire District Local Plan**

Policy ED4

Safeguarding Existing Employment Premises

Policy T3

Highway Safety Requirements

Policy GD1

General Development Criteria

Policy 6 (Part 3) Class B

Employment Land

Policy 10

Alternative Uses of Employment Land

## 2.2 Unitary Development Plan – Deposit Draft

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

## 3. Planning History

- |     |            |   |                      |
|-----|------------|---|----------------------|
| 3.1 | SH870254PF | Extension of factory for assembling plastic parts | - Permitted 6.5.87   |
|     | SH880105PF | Extension of factory for storage purposes         | - Permitted 1.3.88   |
|     | SH950924PF | Change of use to B1                               | - Permitted 27.11.95 |

## 4. Consultation Summary

- 4.1 None to report.

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

## 5. Representations

- 5.1 Town Council has no objections to the proposal.

- 5.2 Two letters have been received objecting to or expressing concern regarding this proposal. The following reasons are cited:

- (i) noise from forklift trucks, HGV engines and reversing sirens, mechanical clutter, heavy objects crashing to ground, staff vehicles and operatives noise, loading and unloading noises, early morning deliveries etc.
- (ii) noise at weekends and on Bank Holidays is a matter of particular concern
- (iii) area to rear of unit was restricted to storage only due to noise levels - is this restriction still in place?
- (iv) vibration from heavy machinery and large vehicles
- (v) eyesore resulting from open storage of materials, vehicles, machinery, skips and rubbish
- (vi) air pollution from dust and sand, vehicle fumes - possible health risk
- (vii) loss of privacy - only wire mesh fence separates unit from nearby houses
- (viii) no room for HGV to turn and could therefore cause traffic hold-ups
- (ix) insufficient parking and machinery storage areas
- (x) safety would not be good considering increased volume of vehicles entering/exiting the site
- (xi) units are light industrial because residential households surround them and never intended for trade/retail outlets
- (xii) sufficient builders' merchants elsewhere in Ross, e.g. Kemp, Focus and others elsewhere in the district
- (xiii) de-value property

- 5.3 The applicant's agent makes the following submission (in summary):

- (i) currently used as warehousing/distribution (B8) and proposed use would supply building contractors market NOT a DIY retail operation;
- (ii) retail element is very much subsidiary to the principle distribution of bulk building materials;
- (iii) showroom is for display of bathroom and kitchen layouts;

- (iv) schedule of anticipated vehicular movements is submitted which shows (for example) 2 HGV delivery vehicles and 40 customers' vehicles per day;
- (v) layout has been amended to meet concerns of Transportation Unit and although parking spaces reduced in number would still be more than maximum number of customers at any one time plus 1 space per member of staff;
- (vi) staff access movements during the day are very infrequent
- (vii) historically HGV have not turned within the site and will reverse into the site
- (viii) an area will be allocated for turning 16 tonne rigids
- (ix) applicants typically use external pallet storage racks with overall height of 5m but willing to discuss this.

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 There are no policies specifically relating to builders and plumber' merchants. These uses fall outside Class B8 partly as they sell directly to customers, albeit mainly to trade customers. Policy E04 seeks to protect Class B uses but the reason is to ensure that employment opportunities would not be lost both in terms of number and type of jobs. In this case 13 employees are anticipated which is probably a greater number than in many B1 and B8 uses. A second consideration is to protect the town centre by resisting retail uses on industrial estates. Although there is significant element of retail sales the proposed use would be selling primarily to trade customers and these uses are not normally located in shopping centres. In principle then it is concluded that the proposal would not conflict with the intentions of the Council's employment and retail policies. UDP Policy E5(2) states that "in the case of proposals incorporating elements of retail use, this is restricted to a minor or incidental activity associated with an otherwise acceptable Part B or other employment generating use". It is considered that this proposal would comply with E5(2).
- 6.2 As noted above although part of an industrial estate the unit does adjoin a residential property. The nearest houses, Green Orchard and 2 North Road, are about 12 m and 20 m respectively from the application site. Some noise and disturbance is inevitable and the issue is whether the proposed use would exacerbate these and cause serious harm to the amenities of neighbours. There is a history of complaints about the noisy activities carried out at these premises. The rear section which extends across most of the site was permitted for storage purposes only ancillary to the B2 use of the remainder of the unit. Permission was granted for a B1 use in 1995 but it seems that the use of the bulk of the site is for B2 industrial use. It is not considered that the proposed use would be more noisy than a typical industrial use. The extension referred to above does provide a buffer but there is a gap between this and the adjoining factory which could funnel noise through to the houses in North Road. (A stone retaining wall acts as buffer to Green Orchard). It is anticipated that noise from reversing service vehicles and fork lift trucks would potentially be the most serious source of noise. Nevertheless the hours of opening could be limited by planning condition and a scheme to ameliorate potential problems required. These conditions, together with the disposition of buildings, should ensure that there is no undue loss of residential amenities.
- 6.3 The Head of Engineering and Transportation (response from Transportation Manager) considers the revised site layout and parking/servicing provisions to be acceptable. An undertaking has been given that HGVs would reverse onto the site.

**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 A09 (Amended plans )

Reason: To ensure the development is carried out in accordance with the amended plans.

- 3 F02 (Scheme of measures for controlling noise)

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

- 4 E03 (Restriction on hours of opening)

Reason: In the interests of the amenities of existing residential properties in the locality.

- 5 E02 (Restriction on hours of delivery)

Reason: To safeguard the amenities of the locality.

- 6 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using adjoining highway.

- 7 F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

- 7 No machinery or power tools shall be installed or operated within the building at the southern end of the site or within the yard without the prior approval in writing of the local planning authority.

Reason: To protect the amenities of neighbours.

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.