

7 DCNC2007/2604/F - CHANGE OF USE FROM WAREHOUSING/STORAGE TO DISTILLERY AND BIOFUELS PLANT. ERECTION OF TOWER ON BUILDING TO HOUSE DISTILLERY COLUMN. CLAD LEAN-TO AT NE SIDE OF BUILDING. NEW ACCESS ROAD AT ROSEMAUND FARM, ROSEMAUND DRIVE, PRESTON WYNNE, HEREFORDSHIRE. HR1 3PG

For: Mr J A Baxter, Tyrells Distillers Ltd., Tyrells Court, Stretford Bridge, Leominster, Herefordshire, HR6 9DQ

Date Received:

9th August 2007

Expiry Date:

4th October 2007

Ward: Bromyard

Grid Ref:

56652, 47917

Local Member: Councillor B Hunt and Councillor A Seldon

Introduction

This application was deferred at the Northern Area Planning Sub-Committee on 14th November 2007 to allow for a site visit to take place, in order that Members could make an assessment of the proposal and, in particular, its impact on highway safety and the surrounding road network.

Since being deferred the applicants have submitted a further detailed statement prepared by a Planning Consultant. This compares the traffic movement, on a monthly basis, of ADAS' use of the site and the proposal. It concludes that, in a 30 day period the use of the site by ADAS could generate up to 4,860 vehicle movements, whilst the proposal will generate 320. ADAS will continue to use the offices on site for three years, under a leasing agreement that they have reached with the applicants and, therefore, expressed as percentages, their traffic movements account for 94% over a month, with the proposal accounting for just 6%. In conclusion the report reads as follows:

"It is considered that the proposed use, in trip generation terms, is minimal when compared with the existing use on the site. The businesses ethos and the sustainable methods proposed ensure that only a few trips will be made each month using commercial vehicles.

Locating the distillery in this location produces a sustainable business blue print, as the raw materials needed are located on site. This avoids the need for large numbers of vehicles removing raw materials from the site.

The existing and proposed uses of the site require that the site is accessed via commercial vehicles. The new access road will reduce the impact on local residents and ensure that the traffic is routed via the A417 as the road is straighter and more accessible.

The assessment of the local road network, the current and proposed uses and the prospects of alternative developments lead Foxley Tagg Planning Ltd to conclude the following:-

- The site and proposed uses are wholly sustainable.
- Vehicle movements related to the proposed use are the lowest they can be to allow the distillery to function.
- Vehicle usage is minimal compared with the extant site usage.
- The road network can handle the extra movements without compromising highway safety.
- Large vehicles regularly access the site on a daily basis; the proposed use only requires 10 per month compared with up to 30.
- The road network can be improved to aid the passage of larger vehicles by increasing the size of passing bays.”

An updated version of the original report now follows.

1. Site Description and Proposal

- 1.1 The application relates to Rosemaund Farm, currently used by ADAS as a research and development centre. The main concentration of buildings comprise a mix of post war agricultural buildings, a large brick built office building and a farmhouse. Access is currently gained via Rosemaund Drive which terminates at the farm. It is an adopted road that provides access to a number of residential dwellings positioned on its western side, and in turn leads on to the C1118. The junction between the two is positioned on the brow of a hill and on a bend. From this point access can either be gained to the A417 to the north-east, or the A465 to the south.
- 1.2 The surrounding landscape is typically agricultural and characterised by relatively small field parcels defined by mature trees and hedgerows, although it is apparent that some of these have been thinned and in other areas completely removed.
- 1.3 The application has two component parts. The first relates to a hop kiln positioned centrally within the farm yard and it is proposed to change its use by installing a distillery. A by-product of this process creates methanol and the scheme also includes a facility for the production of bio-diesel. The majority of the equipment required in these processes will be contained within the existing building. However, the proposal does include the erection of a distillation tower with a total height of 15.5 metres. The submission indicates that the applicant's intend to allow the public to visit the site to view the distillery once in operation.
- 1.4 The second part relates to the creation of a new vehicular access track across the applicant's land running in a south-easterly direction away from the farm buildings to join the C1118 at a point approximately 500 metres to the north-east of the junction between Rosemaund Drive and the C1118. The new access emerges onto the C1118 at a point where it is straight with good visibility in both directions. The track follows the line of a mature hedgerow in part but crosses an open field at a point closest to the farm buildings. It is around this point that the proposed access track also crosses the route of a public footpath. The plans have been amended since their original submission to take account of this.

2. Policies

2.1 National Guidance

Planning Policy Statement 7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan

S1 - Sustainable development

DR3 - Movement

E11 - Employment in the smaller settlements and open countryside

E12 - Farm diversification

HBA12 - Re-use of rural buildings

3. Planning History

3.1 None relevant to this application

4. Consultation Summary

Statutory Consultations

4.1 None required

Internal Council Advice

4.2 Transportation Manager raises no objection subject to the imposition of conditions relating to visibility splays, provision of access gates and the construction of the vehicular access.

4.3 In light of concerns expressed by local residents in relation to traffic movements and highway safety along the C1118 and its junctions with the A417 and A465, which will be detailed later in this report, the Transportation Manager was asked to provide further comment and this is summarised as follows.

4.4 A number of passing places exist between Rosemaund Drive and the A417. However, these are not sufficiently large to allow trucks or tractor/trailer combinations to pass and could be enhanced to allow this. It is suggested that perhaps one or two are lengthened to achieve this and further passing places created where intervisibility is poor. A full survey would be necessary to formalise preferred locations.

4.5 The junction of the C1118 and A417 is considered to have adequate visibility. There has been one serious accident at this site in the past five years which involved a motorcyclist. There have been no reported accidents along the C1118. Visibility at the junction of the C1118 and A465 is not as good but is acceptable. There have been no reported accidents in the past five years.

4.6 Public Rights of Way Manager raises no objections to the proposal based on the amended plans.

4.7 Landscape Officer raises no objection

4.8 Principal Tourism Officer supports the application as an excellent diversification scheme that will enhance the work that the applicant does in the County.

- 4.9. Environmental Protection Manager - I can confirm that I do not expect that it should give rise to nuisance to neighbours. Although I have not had personal experience of such an operation I have spoken The Environmental Protection officer in Plymouth who advises that he is not aware of any odour nor noise problems with the distillery in their area which is located close to residential properties.

Should nuisance be caused powers are available as provided by the Environmental Protection legislation to require a remedy. Finally the applicant the applicant should be advised to contact the Environment Agency to check if a permit to operate would be required.

- 4.10 Archaeological Advisor raises no objection following the completion of a survey.

5. Representations

- 5.1 Felton Parish Council - Do not support the application. Their comments are summarised as follows.
- 5.1.1 Raised concerns about the number of vehicles accessing the site. Suggest that traffic movements along Rosemaund Drive are presently domestic in nature, rather than commercial.
 - 5.1.2 Also concerned about the ability of the road network to cope with large commercial vehicles and generally about highway safety along the C1118 and its junctions with the A417 and A465. Request that passing bays be provided if planning permission is granted.
 - 5.1.3 Suggest that a traffic assessment is completed to determine level of existing and potential traffic movements and that, as a result, it may be necessary to impose restrictions on traffic movements.
 - 5.1.4 Concerns about a change of use from agricultural to commercial use and the precedent it might set for future diversification.
 - 5.1.5 The visual impact of the distillation tower on the landscape and also emissions generated by it.
 - 5.1.6 Possible impact of the access track on archaeological remains.
- 5.2 Withington Parish Council - Also express concern about the application, raising similar issues about traffic generation and highway safety to those described above.
- 5.3 Open Spaces Society - Draw attention to the fact that the access track crosses a public footpath.
- 5.4 The Ramblers Association - Also highlight the public footpath and suggest that the approaches of it to the new access track are adequately ramped to provide safe access up and across it for walkers.
- 5.5 21 letters of objection and a 29 signature petition have been received from local residents. In summary the points raised are as follows:

- 5.5.1 Issues about highway safety including concerns about increased traffic movements along narrow roads, lack of passing places and poor junctions with the A417 and A465.
- 5.5.2 The proposal is likely to lead to further development of the site.
- 5.5.3 Concern about emissions from the distillation tower and associated with the production of bio fuels.
- 5.5.4 The erection of a distillation tower will have a negative visual impact.
- 5.5.5 A detailed summary of a meeting of residents of Felton and Preston Wynne has also been received. It, again, refers to matters of highway safety and traffic movements, but also questions the accuracy of the information provided by the applicant.

Reference is also made to a visitors' centre and comparisons made to the centre at Weston's Cider Visitor Centre at Much Marcle which attracts 45,000 visitors per year.

The summary also refers to the potential for further development of the site.

5.6 In support of the application the following information has been submitted:

- 5.6.1 Approximately 80 people are currently employed on the site by ADAS, the majority of whom drive to work. As a condition of the purchase of the farm we are required to grant ADAS a lease of 3 years on the office block and workshop and 1 year on other farm buildings, and so the number of people on the site is not expected to fall for 3 years. In addition, open days are held by ADAS and visitors are invited to see the results of the various farm trials. The number of parking spaces required for the farm as a whole will therefore remain unchanged.
- 5.6.2 The distillery itself will not be labour intensive, perhaps 5 people in total. Production volumes are small (this is an artisan distillery not for the mass market) with a capacity of just 3600 bottles per week, perhaps 5 pallets of finished product. Raw materials will be grown on the farm, and so the only deliveries will be packaging, perhaps two deliveries per month.
- 5.6.3 Waste sunflower oil from Tyrrells Potato Chips would be delivered once per week for conversion into bio-diesel. The same wagon would pick up finished fuel for return to the chip factory for use in their generator. Bio-diesel would also be used on site to run a generator for the distillery and to run the farm vehicles, removing the need for DERV deliveries.
- 5.6.4 The distillery will convert the potatoes, apples and pears grown on the farm into alcohol. Waste material such as peelings from the potato and the solid material left from pressing the fruit will be fed to cattle on the farm.
- 5.6.5 The distillery operation is an enclosed process and so there is no odour problem. Similarly the artisan scale of the production process means that noise is kept to a minimum and will be less than the existing noise from farm machinery.

- 5.6.6 A by product of the process is methanol which we will use in the production of bio-diesel from waste oil from Tyrrells Potato Chips Ltd and from virgin rapeseed oil grown on the farm. The cake (solid matter) from the rapeseed oil production will also be fed to the cattle.
- 5.6.7 The bio-diesel will be used to run the farm vehicles and also to generate electricity for the site. This will make the distillery and farm a self-contained, sustainable unit.
- 5.7 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The main thrust of the objections to this application concentrate on highway safety and the perceived increase in traffic movements that will result, particularly large vehicles. However, such concerns do not appear to correspond with the projected vehicle movements outlined by the applicant and re-produced earlier in this report which suggest that 5 people will be employed, that the raw materials (potatoes) will be grown on site, that two vehicles per month will deliver empty bottles, perhaps two vehicles per week will take the finished product from the site, and that one tanker per week will visit to deliver waste sunflower oil and will take away finished bio-diesel. In your officers opinion this level of traffic movement is not dissimilar to that which might be ordinarily expected on any other farm holding. It appears that the main concern of local residents is not principally about this application but what development might occur in the future and the level of traffic generation that might result, a point that is mentioned in a number of the letters received.
- 6.2 The distillery is of a small scale, as is the production of bio-diesel from its waste products, and therefore is self-limiting in terms of the level of traffic movements that it will generate. The fact that the application includes the provision of a new access to the farm should not be taken as an indication that the applicant intends to develop the site further, but on its own merits in terms of landscape impact and highway safety. If further proposals do come forward in the future then these, of course, will be considered on their own merits.
- 6.3 The Transportation Manager has indicated a need for existing passing places to be lengthened along the route of the C1118, and particularly between Rosemaund Drive and the A417. He has also suggested that additional bays could be provided to improve the ability for vehicles to pass one another. The applicant has indicated a willingness to undertake such improvements as part of this application.
- 6.4 The evidence provided by the Transportation Manager does not suggest that there is any frequency of accidents along the C1118, nor at its junctions with the A417 or A465 respectively. Notwithstanding this, the increase in traffic movements associated with this proposal are limited and will not result in a reduction in highway safety.
- 6.5 The distillation tower will not be seen from any immediate public vantage points and any views gained of it will be in the longer distance and against the backdrop of a large farm complex. It is not considered that it will have any undue adverse visual impact and as such is considered to accord with policy in this respect.
- 6.6 The same tower simply serves to cool liquid throughout the distilling process and is a sealed unit rather than acting as a chimney that might otherwise emit fumes.

- 6.7 This application does not include the provision of a visitors' centre and this would have to be the subject of a separate planning application that would, of course, be considered on its own merits. As stated in the report, the concerns relating to traffic movement seem to be based on the notion that the site will be developed further.
- 6.8 It is concluded that the proposal as submitted is of an appropriate scale in relation to its surroundings. It promotes the re-use of a currently vacant rural building and therefore accords with policies E7 and HBA12 of the Herefordshire Unitary Development Plan. Subject to the imposition of conditions it also accords with policy in terms of issues relating to highway safety and increased traffic movements. The application is recommended for approval.

RECOMMENDATION

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

1 – A01 (Time limit for commencement)

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 - DO3 (Site observation – archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

4 - G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

5 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area

6 - H03 (Visibility splays)

Reason: In the interests of highway safety

7 - H05 (Access gates)

Reason: In the interests of highway safety

8 - H06 (Vehicular access construction)

Reason: In the interests of highway safety

9 - H17 (Junction improvement/off site works)

Reason: To ensure the safe and free flow of traffic on the highway

Informatives

- 1 – N03 - Adjoining property rights
- 2 – HN01 - Mud on highway
- 3 – HN05 - Works within the highway
- 4 – HN10 - No drainage to the discharge onto highway
- 5 – HN22 - Works adjoining highway
- 6 – N15 - Reason(s) for the Grant of PP/LBC/CAC
- 7 - N19 – Avoidance of doubt

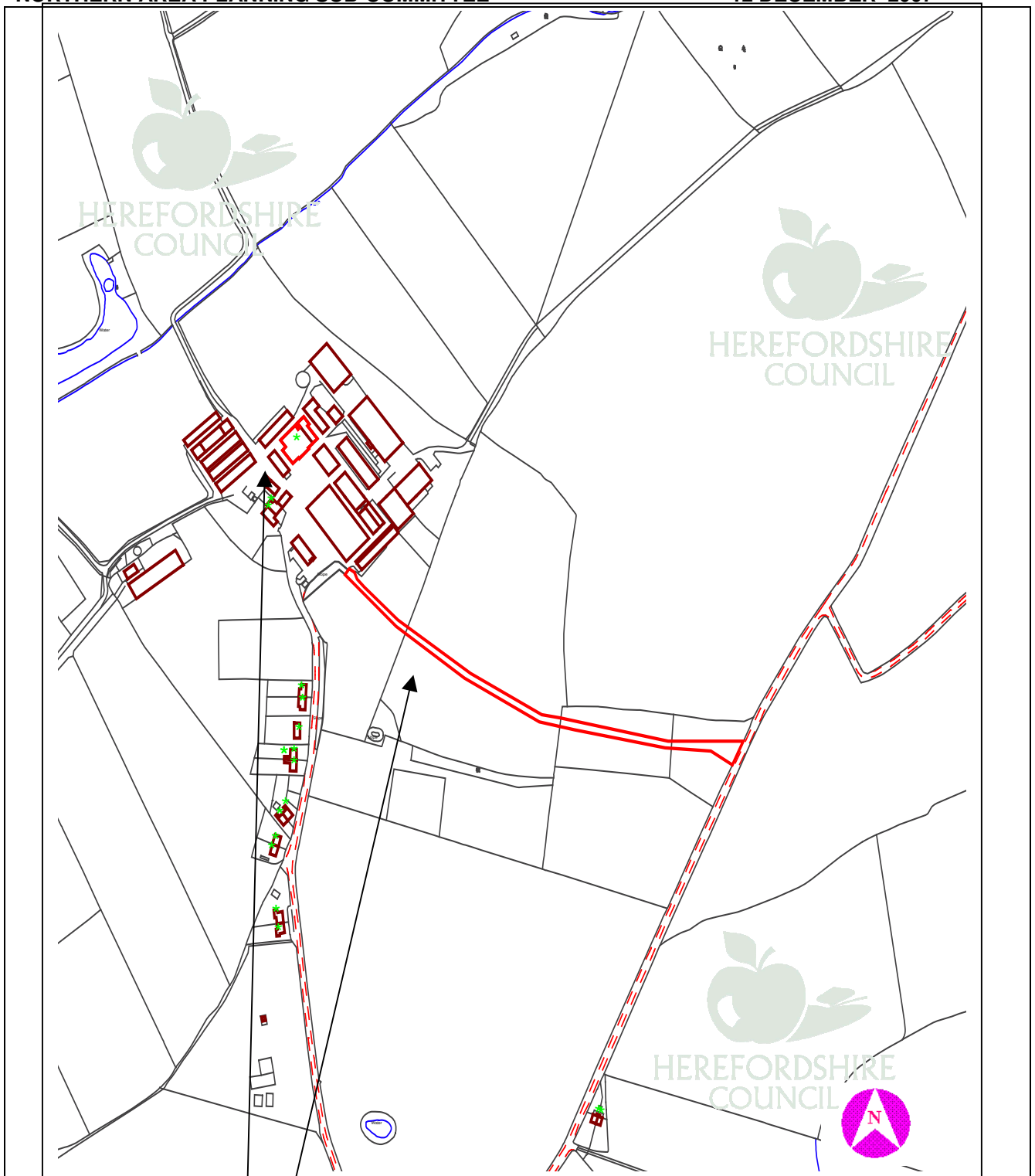
Decision:

Notes:

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Background Papers

Internal departmental consultation replies



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APPLICATION NO: DCNC2007/2604/F

SCALE : 1 : 5000

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