

9 DCCE2008/0552/F - PROPOSED CHANGE OF USE FROM AGRICULTURAL STORAGE TO STORAGE OF NON AGRICULTURAL PRODUCTS, BUILDING AT MILL FARM, FOWNHOPE, HEREFORD, HEREFORDSHIRE, HR1 4NT

For: Mr. D. Watkins per Thompsons, Agriculture House, Tillington Road, Hereford, HR4 9QJ

Date Received: 3 March 2008

Ward: Backbury

Grid Ref: 57481, 34727

Expiry Date: 28 April 2008

Local Member: Councillor JE Pemberton

1. Site Description and Proposal

- 1.1 The application site is located to the south-west of the B4224 in open countryside adjacent to both the settlement boundary and conservation area of Fownhope. It also lies within the designated Area of Outstanding Natural Beauty.
- 1.2 The site currently consists of a steel framed agricultural building and a surrounding hardcore yard area with an existing access to the road. Residential properties are located to the south-east and north-west of the site. To the south-west is an agricultural field.
- 1.3 This application seeks permission for the change of use of the building from agricultural storage to use for storage of non-agricultural products. The proposal would be change of use only and does not involve any external alterations to the building.

2. Policies

2.1 Planning Policy Statement

PPS7 - Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S6	-	Transport
Policy DR2	-	Land Use and Activity
Policy DR4	-	Environment
Policy E8	-	Design Standards for Employment Sites
Policy E10	-	Employment Proposals within or adjacent to Main Villages
Policy E12	-	Farm Diversification
Policy T8	-	Road Hierarchy
Policy LA1	-	Areas of Outstanding Natural Beauty
Policy HBA12	-	Re-use of Rural Buildings

3. Planning History

- 3.1 SH911001SZ Building - general agricultural - Allowed 16.09.91
purposes
- SH930025PF Proposed general purpose steel - Refused 02.03.93
portal framed agricultural
extension to existing building

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager - no objection.
- 4.3 Public Rights of Way Manager - no objection.
- 4.4 Conservation Manager - no objection.
- 4.5 Environmental Health & Trading Standards Manager comments – “The application site is relatively close to residential properties and whilst I do not have any objection to the proposal I would suggest that a condition restricting hours of work might be considered as safeguard to the future amenity of the neighbours. I would propose that delivery vehicle movements to and from the building, the loading and unloading of delivery vehicles and other work outside the store be prohibited after 6pm and before 8am Monday to Friday, after 1pm and before 8am on Saturdays, with no working on Sunday, Bank and Public Holidays.”

5. Representations

- 5.1 Fownhope Parish Council – “recommends that more information is required prior to a decision being made. It was considered that access is dangerous, proposed change of use may increase traffic movements. Noise pollution increase, insufficient parking and turning area without major resurfacing of area adjacent to storage shed being required. Type of storage not specified or detailed. Lack of screening to adjacent properties.”
- 5.2 Four representations have been received from:

Mrs A Barber-Starkey, York House, Lower House Gardens, Fownhope, HR1 4NN
Mr P Morris, Mill House Farm, Fownhope, HR1 4NT
Mr P F Daines, Mill Farm Barn, Fownhope, HR1 4NT
Mrs B Oakley, Deerfield House, Fownhope, HR1 4NN

which raise concerns about additional traffic movement and noise generating activity on this site as well as the types of products to be stored in the building.

- 5.3 In response to concerns raised by neighbours, the agent supplied the following information:

“We do not anticipate that the premises will be used for the storage of deleterious materials (i.e. non deleterious materials only). It is considered that the type of items which could be stored may range from furniture, previously manufactured goods being stored for onward movement to retail outlets, plant and machinery. It is not anticipated that there would be any storage of hazardous substances and a restriction against that would, I think, be acceptable to our clients. It is not proposed that any manufacturing or further treatment of materials would take place at the property. It is not proposed that any storage would be with a view to retail on site and it is not considered that the property will be accessible to general public passing. It is a discreet storage unit and its position and nature tend towards a storage use.”

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

6. Officer's Appraisal

- 6.1 Both PPS7 and Unitary Development Plan Policy HBA12 encourage the re-use of rural buildings for employment purposes subject to meeting the requisite criteria. The main issues in the determination of this application are the impact of the proposed use on the road network, the amenities of local residents and the landscape.
- 6.2 It is clear from the representations received that noise and disturbance relating to the type of use and the number and type of vehicular movements generated by the proposed use are serious concerns associated with this particular use.
- 6.3 With regard to residential amenity, it is noted that the nearest residential property, Deerfield House, is located approximately 45m away from the proposed building. Due to the close proximity there is some concern that the unspecified B8 use may cause harm to the living conditions of the occupier of the neighbouring property. However, the proposed use is a storage and distribution use (B8) for storage purpose. Whilst the agent is unable to specify the nature of storage use, he indicated that the premises will be likely to be used for the storage of furniture, manufactured products, plant and machinery and will not be used for the storage of deleterious materials. Taking into account the proposal is for general storage use only, it would not have any unacceptable impact on the amenity of the neighbouring property. The Environmental Health Manager has considered the proposal and raises no objection. Should any noise nuisance or disturbance be identified in the future these issues can be effectively controlled under the Environmental Protection Act 1990.
- 6.4 In terms of traffic generation, the existing access from the application site enters on to the B4224 which is a secondary distributor road. The existing access is of appropriate design and construction to satisfy the highway requirement. The building was formerly used as a potato store for agricultural purposes where traffic generation would be significantly greater, particularly during the crop season. The Traffic Manager has no objection to the application. It is considered that subject to conditions restricting the delivery hours, the number of traffic movements generated by the proposed use will not be detrimental to highway safety.
- 6.5 The proposed building is set well back and screened from the main road. At present the building is visible from the adjoining neighbouring properties to the south-east and

north-west. The agent has acknowledged the concerns expressed by the neighbour and indicated that some landscaping would be provided along the south-east boundary in order to enhance the visual amenity and minimise the effect on the amenity of the neighbouring property. Notwithstanding this, condition will also be imposed to restrict any goods, plant, material or machinery to be deposited or stored outside the building on the hardcore yard area in order to preserve the rural character and the wider landscape.

- 6.6 In conclusion, and taking all matters raised, it is considered that the proposed B8 use would not be detrimental to the amenity of the nearby residents or the safety of the highway network. The proposal is in accordance with the relevant planning policies and the objective of Government guidance, subject to appropriate conditions, the proposal represents an acceptable development.

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. **F05 (Restriction on hours of use (industrial)).**

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

3. **F06 (Restriction on Use).**

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy DR2 of Herefordshire Unitary Development Plan.

4. **No goods, plant, material or machinery shall be deposited or stored outside the application site edged in red on the plan date stamped 3rd March, 2008.**

Reason: To protect the appearance of the locality and the amenity of the neighbouring properties.

5. **I33 (External lighting).**

Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

6. **I35 (Time limit on floodlighting/external lighting).**

Reason: To minimise the impact of the floodlights and to protect the residential amenity of nearby dwellings so as to comply with Policy DR14 of Herefordshire Unitary Development Plan.

7. **G10 (Landscaping scheme).**

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

8. G11 (Landscaping scheme - implementation).

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

Informative(s):

- 1. N19 - Avoidance of doubt - Approved Plans.**
- 2. N15 - Reason(s) for the Grant of Planning Permission.**

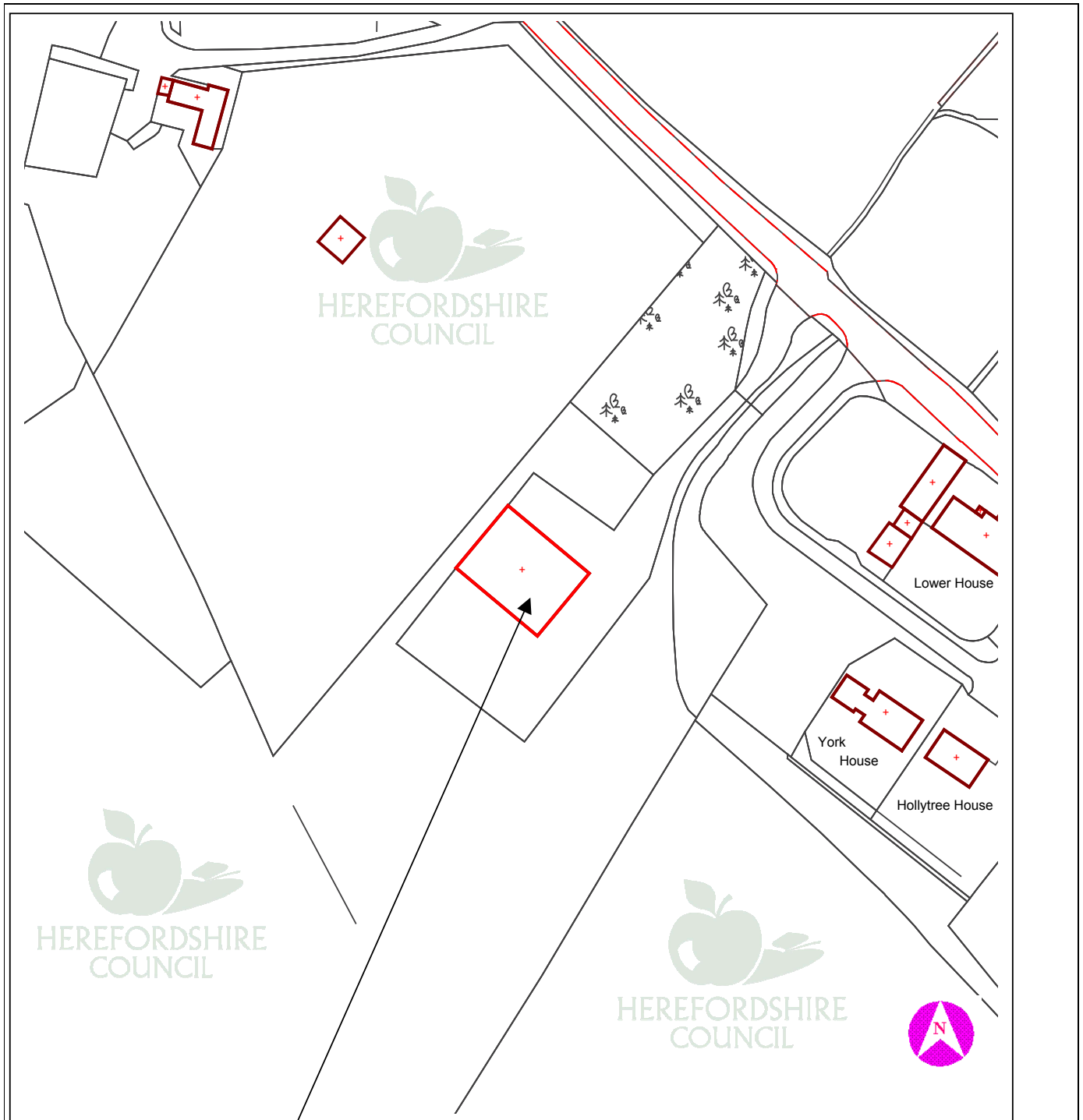
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2008/0552/F

SCALE : 1 : 1250

SITE ADDRESS : Building at Mill Farm, Fownhope, Hereford, Herefordshire, HR1 4NT

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