

13 DCNW2004/2397/F - CHANGE OF USE OF POTATO STORE TO FOOD ROOM FOR FRYING OF POTATO CHIPS AT TYRRELLS COURT, STRETFORD, LEOMINSTER, HEREFORDSHIRE, HR6 9DQ**For: Mr. W. Chase per Multi-Fab Construction,
Lowerfields, Stretford Bridge, Leominster,
Herefordshire, HR6 9DQ****Date Received: 1st July 2004****Ward: Golden Cross
with Weobley****Grid Ref: 43051, 55820****Expiry Date: 26th August 2004**

Local Member: Councillor J.H.R. Goodwin

1. Site Description and Proposal

- 1.1 The application site comprises a 440 metres² part of an existing series of potato storage/packing buildings located at Tyrells Court, Stretford Bridge. The building occupies a location set back from the adjacent highway to the north east of the applicant's property and part of a well established group of modern agricultural buildings. These buildings are generally visible from the surrounding countryside but do occupy a relatively low lying position.
- 1.2 Planning permission for the change of use of an adjacent building into a crisp manufacturing factory was granted pursuant to Application No. NW2001/3173/F on 13th February, 2002. This application seeks to transfer and enhance the existing production line for hand fried potato crisps and vegetables into a new larger building with the intention that the existing building would be retained for storage and office purposes associated with the crisp manufacturing operation.
- 1.3 The application has been supported by information relating to the traffic generation/distribution implications of the expanding operation and detail of the existing and proposed ventilation system.

2. Policies

Government Guidance

PPG7 – Sustainable Development in Rural Areas

Hereford and Worcester County Structure Plan

Policy E6 – Development in Rural Areas Outside the Green Belt

Policy A2 - Diversification of Agricultural Units

Leominster District Local Plan

Policy A1 – Managing the District's Assets and Resources

Policy A2(D) – Settlement Hierarchy

Policy A9 – Safeguarding the Rural Landscape

Policy A13 – Pollution Control

Policy A14 – Safeguarding the Quality of Water Resources

Policy A15 – Development and Watercourses

Policy A35 – Small Scale New Development for Rural Businesses Within or Around Settlements

Policy A36 – New Employment Generating Uses for Rural Buildings

Policy A45 – Diversification on Farms

Policy A54 – Protection of Residential Amenity

Policy A70 – Accommodating Traffic from Development

Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development

S2 – Development Requirements

DR2 – Land Use and Activity

E6 – Expansion of Existing Businesses

E11 – Employment in Smaller Settlements and Open Countryside

LA2 – Landscape Character and Areas Least Resistant to Change

HBA12 – Re-Use of Rural Buildings

3. Planning History

NW2001/3173/F - Change of use of portal frame building from potato packing/storage to potato crisp manufacturing. Approved 13 February 2002.

NW1999/1597/F - Erection of 3-bay carport and storage shed. Approved 20 July 1999.

N98/0248/N - Side extension to form machinery building for potatoes. Approved.

N98/0269/N - Insulated potato storage building. Approved 25 September 1998.

4. Consultation SummaryStatutory Consultations

4.1 None

Internal Council Advice

4.2 Head of Engineering and Transportation raises no objection.

4.3 Head of Environmental Health and Trading Standards raises no objection subject to controls over ventilation of fumes and odours.

5. Representations

- 5.1 Two letters of objection have been received from Mr. R.J. Gough of Bower House, Dilwyn and Mr. & Mrs. T. Ford of Barr, Stretford, Leominster. The following concerns have been raised:
- existing concern regarding smells from the frying will worsen if Tyrells are allowed to increase their capacity
 - potential for 24 hour operation and lorry movements throughout the night
 - additional traffic on already overused country lanes
 - main entrance to site is dangerous
 - original permission granted on basis that further expansion would require relocation of the operation to a more suitable premises.
- 5.2 Dilwyn Parish Council state that they have no objection to the installation of a low temperature vacuum fryer for the production of vegetable product but object to another potato fryer. The main reservations relate to increased traffic but the creation of more jobs is welcomed.
- 5.3 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 Policy A36 of the Leominster District Local Plan (Herefordshire) establishes the principle for the creation and expansion of new employment generating enterprises associated with existing agricultural buildings. It is considered that the criteria relating to the suitability of this modern potato store for conversion are broadly satisfied. It is suggested by the applicant that the proposal would create approximately 10 more jobs to compliment the current 25 strong workforce.
- 6.2 Notwithstanding the support provided by Policy A36 of the Local Plan and in common with material issues raised by the Parish Council and local residents, this proposal must be considered against detailed policies seeking to ensure that commercial re-use/diversification projects preserve the amenities of the locality and do not threaten the safe use of the surrounding rural road network.
- 6.3 With regard to the potential for noise and more particularly odour associated with the existing and proposed cooking processes, it is advised that the Head of Environmental Health and Trading Standards raises no formal objection to the expansion of the Tyrells operation subject to the imposition of a condition requiring details of a proposed odour and fume control scheme being submitted prior to the new building being used. Furthermore, it is maintained that no complaints about the existing operation have been received since the original approval was granted in early 2002. Investment in the odour filtration system required to support the cooking processes is considered vital by the applicant since he lives very close to the existing production unit and it has been advised that the intention is to install a special fryer in the new building which cooks vegetables and condenses the steam into liquid almost entirely eliminating odours.
- 6.4 In the light of the limited impact on the amenities of nearby occupiers it is not considered appropriate to impose a condition restricting the hours when potato and vegetable frying

is carried out. The imposition of such a condition would be seen by the applicant as unworkable since it would remove the ability to be flexible enough to cope with seasonal demands in production.

- 6.5 In terms of heavy goods vehicle traffic it was originally submitted that the diversification away from potato storage and distribution would reduce the tonnage of product leaving the site from approximately 80 – 100 tons (4.5 HGV's per day) to around 40 tons (1-2 HGV's per day) and also reduce the size of vehicles. This trend continues according to the information submitted with the current application. The re-use of the proposed potato store for the enhanced crisp production line and the reversion of the existing building for storage predominately finished product would result in approximately 1500 tons less of potatoes being stored and distributed from the site which would be replaced by approximately 200 tons of crisps. Having regard to the potential impact of larger HGV's in greater numbers than projected for the operational requirements of the activity associated with expanded crisp production, it is maintained that there will be an overall improvement presenting less of a safety problem on the narrow road system.
- 6.6 This is endorsed by the Head of Engineering and Transportation who raises no objection to the proposal based on the traffic figures provided.
- 6.7 At first glance it would appear that this proposal involves a significant expansion in production floorspace but in essence, this application relates to the transferring of the existing crisp manufacturing production line into a new larger building where it would operate alongside an enhanced vegetable frying production line. The existing building would be retained as the main office base providing additional storage space for the finished products. To this end the actual impact of the proposal is relatively modest and subject to investment in appropriate filtration systems will not cause demonstrable harm to the amenities of local residents.
- 6.8 A condition designed to manage the transfer of the operation and ensure that production floorspace is limited has been discussed and agreed with the applicant and in light of the above it is not considered that this proposal would result in harmful expansion warranting the refusal of permission and thereby the potential relocation of the business to another 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 A11 (Change of use only details required of any alterations)

Reason: To define the terms under which permission for change of use is granted.

3 E06 (Restriction on Use) (Manufacturing of potato and vegetable crisps)

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity.

4 F37 (Scheme of odour and fume control)

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential property in the locality.

5 Prior to the use hereby approved, details of the means of handling waste products associated with the potato and vegetable crisp production process shall be submitted to and approved in writing by the local planning authority. The treatment scheme as approved shall be installed/implemented and thereafter retained.

Reason: To prevent pollution of the water environment.

6 Upon commencement of the use of the building subject of this application for the approved production of potato and vegetable crisps, the use of the adjacent building approved pursuant to Application No. NW2001/3173/F on 13th February, 2002 for production purposes shall permanently cease. This building shall thereafter only be used for office and storage purposes associated with potato and vegetable crisp production.

Reason: To ensure that the expansion of the operation is limited to an appropriate level having regard to local amenity and highway safety.

Informatives:

1 N15 - Reason(s) for the Grant of PP.

2 The future expansion of this business remains a cause for concern for the local planning authority in terms of its effect upon local amenity and highway safety. An application for further expansion of the crisp manufacturing process may prove difficult to support a view of the traffic generation implications in the isolated rural location.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.