

**11 DCSE2005/0040/F - FORMATION OF COMPOUNDS.
ERECTION OF FENCES AND GATES AT
BROADMEADOWS INDUSTRIAL ESTATE, ROSS-ON-
WYE, HEREFORDSHIRE****For: Yorkley Timber Co. Ltd. per Christopher F. Knock,
Tinkers Grove Cottage, The Deer Park, Eastnor,
Nr Ledbury, Herefordshire, HR8 1RQ****Date Received: 6th January 2005 Ward: Ross-on-Wye East Grid Ref: 60318, 24521
Expiry Date: 3rd March 2005**

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

1. Site Description and Proposal

- 1.1 Broadmeadows Industrial Estate is an area of general small scale commercial activity occupying a large triangular area to the rear (south-east) of properties in Overross and to the north-east of Millpond Car Park and Morrisons. the current application site is an area about 90m long x 18m wide between the Checkley and Rudhall brooks and close to their confluence near to Millpond Street Car Park. It is part of a larger area, formerly part of Yorkley Timber Yard, which was consolidated and surfaced in the late 1980's, the north-eastern half of which is a coach depot (allowed on appeal). An area to the north-west and of similar size to the current application site was divided in 5 compounds in the 1990's and appear to be used for low-key storage activities. The current proposal is to form 5 further compounds by the erection of galvanised palisade fencing 2.4 m high, each compound having double gates.
- 1.2 To the north west of Checkley Brook are houses in Brookmead and commercial premises along Overross. The gardens of the former are about 35m away from the application site. The area is known to flood when the brooks overflow their banks. The banks of both brooks have been raised, their channel dredged and screen planting undertaken along Checkley Brook in recent years.

2. Policies**2.1 Planning Policy Guidance**

PPS.1 - Delivering Sustainable Development

2.2 Hereford and Worcester County Structure PlanPolicy E.12 - Expansion of Industries and Commercial Premises
Policy E.13 - Industry in Residential Areas**2.3 South Herefordshire District Local Plan**Policy GD.1 - General Development Criteria
Policy ED.3 - Employment Proposals within/adjacent to Settlements
Policy ED.5 - Expansion of Existing Businesses

2.4 Herefordshire Unitary Development Plan(Revised Deposit Draft)

- Policy E.6 - Expansion of Existing Businesses
- Policy E.7 - Other Employment Proposals in Hereford and the Market Towns
- Policy E.8 - Design Standards for Employment Sites

3. Planning History

There have not been any recent applications for development of this site.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency's advice is awaited.

Internal Council Advice

- 4.2 The Traffic Manager objects as it is felt that the proposal would adversely affect the proposed Ross Flood Alleviation Scheme as it would limit the ability to undertake future maintenance of the Scheme.
- 4.3 The Conservation Manager does not consider this development would affect the setting of the adjacent listed building (The Plough Inn).

5. Representations

- 5.1 Town Council has no objections to the proposal.
- 5.2 2 letters have been received from nearby residents expressing strong objections or concerns. The following reasons are cited:
1. Site is on flood plain of the two brooks and history of flooding in the area - concerned that building here will seriously increase likelihood of flooding which will affect our home especially as climate change and more frequent localised storms and flash flooding.
 2. Debris from existing compounds (built without planning permission?) getting into brooks and increasing risk of waterflow being impeded increasing risk of homes flooding.
 3. Photographs submitted showing debris which spoils what should be a pristine area inhabited by wildlife.
 4. Noise pollution from compounds which are so close to residential properties in Brookmead already making life unbearable. These were erected after houses in Brookmead built but latter are not shown or acknowledged in current application - Committee should be aware of this large residential area all along boundary of Rudhall Brook.

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 lawful use of this land is not clear. The area between the two brooks is allocated for public open space in the South Herefordshire District Local Plan. However at the Local Plan Inquiry it was agreed following objections, to delete this allocation, which is therefore an uncorrected error. In the emerging Unitary Development Plan the area is shown as safeguarded employment land. At the appeal concerning the adjoining coach depot the lawful use of the area between the brooks was considered by the Inspector. He concluded that although the evidence for lawful commercial use was not conclusive it was probable and he allowed the appeal partly on the basis that the coach depot, restricted by planning conditions, may well be less harmful to residential amenities than an alternative commercial use. In view of these findings and the UDP allocation, to which objections have not been raised, it is considered that in principle this development to facilitate more intensive commercial use would not conflict with current policies.
- 6.2 Two issues remain to be considered: the effect on the flood plain and the effect on the amenities of nearby residents. With regard to the former the Council is committed to undertake a flood alleviation scheme with works scheduled to commence in Spring 2006 with completion by the end of that year. Once completed the risk of further flooding would be very greatly reduced.
- 6.3 The use of the compounds is not specified but industrial/storage uses are clearly intended. In view of the proximity to residential properties it would be reasonable, as the lawful use has not been unequivocally established, to restrict the use to within Class B1 and B8 i.e. industrial activities that would not be noisy or give rise to fumes, smells and dust and storage. In addition a limitation on hours of working would ensure peace and quiet outside normal working hours. On this basis it is considered that the proposal would not cause significant harm to the living conditions of local residents.
- 6.4 The concern expressed regarding future maintenance of the Flood Alleviation Scheme is appreciated. Nevertheless the compounds would not physically restrict maintenance to any significant extent and in view of the Inspector's conclusion reported above, commercial use of this land would be difficult to resist.

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. E06 (Restriction on Use)

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

Informative(s):

- 1. N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.