

6 DCNW2005/3951/F - RETROSPECTIVE APPLICATION FOR 2 NO. FEED SILOS AT DOWNWOOD, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9NH**For: Zintec Feed Supplements at above address.****Date Received:**

9th December 2005

Expiry Date:

3rd February 2006

Local Member: Councillor R Phillips

Ward: Pembridge & Grid Ref:

Lyonshall with Titley

38989, 62555

A Members site visit took place on 7th March 2006.**1. Site Description and Proposal**

- 1.1 The application site lies to the west of the existing industrial building at Zintec, off the B4362 road just to the west of Shobdon. It lies adjacent to the registered historic parkland of Shobdon Court, which is also a special wildlife site and within an Area of Great Landscape Value.
- 1.2 In addition to the industrial buildings of Zintec there are a cluster of dwellings and other buildings in the vicinity and the site is overlooked by the properties at Downwood Farm.
- 1.3 The proposal is for the retention of 2no. feed silos used to store raw materials used in the manufacturing of finished products. The silos are sited to the east elevation of the original building that lies to the south of the site. Each Silo is 9.548 metres in height with a radius of 2.870 metres. They extend some 3.5m from the existing building and are visible above the roofline of the existing building by approximately 2 metres.

2. Policies**Leominster District Local Plan (Herefordshire)**

Policy A9 – Safeguarding the Rural Landscape

Policy A11 – Parks, Gardens and other Historical Landscape Features

Herefordshire Unitary Development Plan (Deposit Draft)

Policy LA4 – Protection of Historic Parks and Gardens

Policy LA2 – Landscape Character and Areas Least Resilient to Change

DR13 – Noise

E6 – expansion of existing businesses.

E8 - Design Standards for employment sites

3. Planning HistoryNW2005/1028/F – free standing light industrial storage building – approved with conditions 3rd June 2005

NW2003/2856/F – Steel framed building to house cattle – approved 31st March 2004

91/0500 – use of land and workshop for B2 industrial Use – Approved with Condition 7th October 1991

90/0501 – amendment of condition 2 on planning permission 82/530 (occupation of dwelling by owners of site) – approved 8th October 1991

85/33 – continuance of use without complying with condition 3 (personal permission) of planning permission granted under 82/530 for new workshop - approved 25th Feb 1985

85/33 – continuance of use without complying with condition 2 (tied to person employed or last employed on site) and 4 ((dwelling and building not sold separately) of planning permission granted under 82/530 for new workshop - refused 25th Feb 1985

4. Consultation Summary

Statutory Consultations

4.1 None.

Internal Council Advice

4.2 The Conservation Manager (Landscape) raises no objection.

4.3 The Environmental Health Manager comments as follows:

“Further to the earlier consultation response to the above application I can confirm that I have visited the application site and discusses it with the applicant. Whilst there are concerns about the proximity of residential property to the industrial unit I am of the opinion that the addition of the 2 bulk storage silos does not have an unacceptably adverse effect, and may reduce the amount of some noisy activity such as the use of forklift trucks to move materials. The imposition of time constraints to ensure that all deliveries to them are during the daytime will further reduce the likelihood of noise nuisance.

4.4 The Transportation Manager has no objection to the granting of planning permission.

5. Representations

5.1 Shobdon Parish Council make the following comments: We do not consider this application should be refused., it is our belief that this is an industrial building and these bulk bins are a requirement of the process and necessary to maintain employment in the area.

5.2 4 Letters of objection have been received from:

- Mrs B Wells and Mr S A Howells, Downwood Cottage, Shobdon, Herefordshire
- Mrs Sheila H Rowe, The Homestead, Downwood Farm, Shobdon, Herefordshire

- Pam and Tom Morton, Little London, Downwood, Shobdon, Herefordshire
- Campaign to Protect Rural England, (NW Herefordshire Planning Group).

These letters raise the following issues:

- Detrimental visual impact of Silos for residents and neighbours
- Impact of Heavy goods vehicles and traffic through the site impacting on quality of life
- Increase in traffic to site leading to damage to road and amenities
- Highway safety issues due to increase in traffic, this is a single width track with inadequate access onto the B4362
- Noise and disturbance caused when being filled. (long lasting droning noise)
- Forklift activity
- Hours of operation of business
- Site better suited on an industrial estate
- Layout of existing site causes conflict across access to dwellings
- Concern about retrospective nature of development
- Concern about previous activities on site without gaining necessary permissions
- Concern over the size that the site has become and impact that this has on the area
- Impact on known wildlife in the area
- Extent of hard surfacing used and required by Zintec

5.3 A response to these objections has been received from Mr Williams, Zintec who makes the following points:

- Major impact is on my house, and need for extra height for silos was to fulfil Health and Safety regulations.
- Silos reduce the number of vehicles coming as to the site, due to the fact that we are having raw material in larger bulk loads.
- Silos will reduce traffic to site.
- Reduce traffic through village and keeping local business and employment.
- Silos reduced use of forklifts.
- Various environmentalists have congratulated us on the pool and wild life using it. We have 5 different types of newt and have planted over 450 trees.
- Happy to accept a restriction on delivery hours for the silos of 8 am – 6 pm Monday – Friday and 9 am – 12 pm on Saturday.

5.4 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 The main issues for consideration in this application are:

- (a) Visual impact on the landscape and surrounding area
- (b) impact on the neighbouring properties

6.2 The introduction of the two silos immediately adjacent to the existing industrial building are not particularly incongruous nor out of character with the building and its surrounds. It is acknowledged that there are residential properties immediately to the north the immediate surrounds of the Silos reads as industrial against the backdrop of

mature trees and landscape. It would be difficult to sustain a reason for refusal on the grounds that the silos have a significant visual impact on the existing industrial building or on the surrounding landscape.

6.3 The impact on the neighbouring properties is also of particular concern. Visually the silos have no immediate impact on the dwellings. The dwelling most affected, visually would be Downwood House, the dwelling which is tied by condition to remain in the ownership and occupation of the industrial unit.

6.4 The main area for concern is the noise and disturbance caused to the neighbours by the filling of the silos. This is described as lasting for in excess of one hour and being a droning noise. The existing building has a B2 use category, which is designated as being for General Industrial Use. There are no hours of operation conditions attributed to this building. Notwithstanding this, it would seem appropriate to protect the residential amenities of these neighbours through the imposition of a condition restricting the hours that these silos can be filled to within the hours of 8am and 6pm Monday to Friday and 9am and 12 pm on Saturdays and not on Sundays or Bank Holidays. This should mitigate against any adverse impact that these silos may have on the living conditions currently enjoyed by these residents.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - E02 (Restriction on hours of delivery)**

Reason: To safeguard the amenities of the locality.

Informative:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

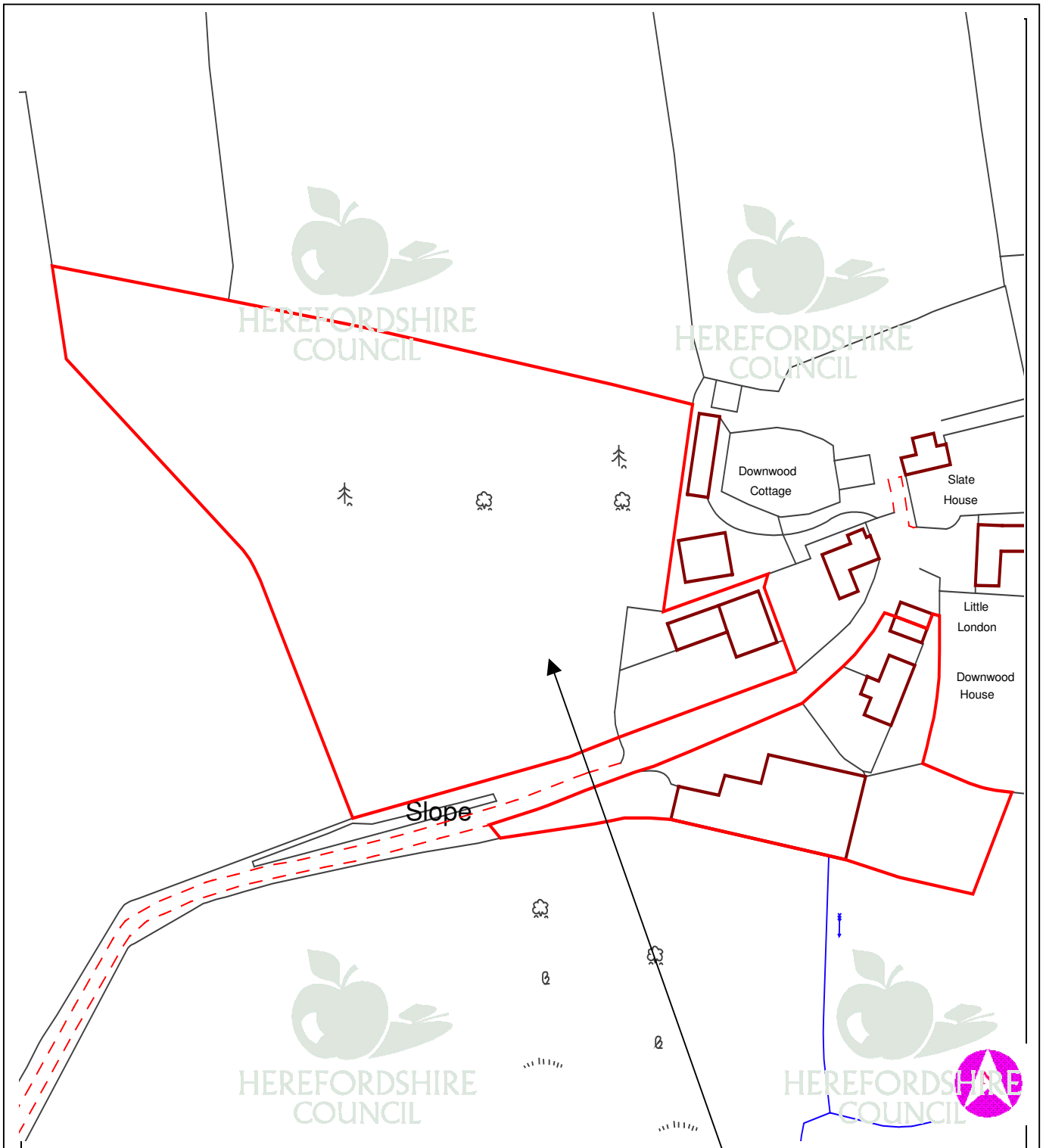
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2005/3951/F **SCALE :** 1 : 1250

SITE ADDRESS : Downwood, Shobdon, Leominster, Herefordshire, HR6 9NH

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