

8 DCCE2006/0649/F - CHANGE OF USE TO MIXED USE OF B2 (GENERAL INDUSTRY) AND B8 (STORAGE OR DISTRIBUTION), WITH UP TO 10% B1 (BUSINESS) AT THREE MILLS TRADING ESTATE (FORMERLY THE WIRE MILL), OLD SCHOOL LANE, HEREFORD, HR1 1EX

For: Mr. K.G. Davies, per Cross & James, 26 King Street, Hereford, HR4 9BX

Date Received: 27th February, 2006 Ward: Three Elms Grid Ref: 51389, 41776

Expiry Date: 24th April, 2006

BVPI Expiry Date: 29th May, 2006

Local Members: Councillors Mrs. P.A. Andrews, Mrs. S.P.A. Daniels and Ms. A.M Toon

1. Site Description and Proposal

1.1 The site is located east of the C1320 known as Old School Lane north of the city centre. Immediately south is the railway line which is designated a Site of Importance for Nature Conservation. Northwest is a row of properties fronting Old School Lane whose rear gardens border the site and the land north and northeast is predominantly occupied by car sales garages. A large brick and steel framed building of around 12,000 square metres in area presently occupies a relatively central position within the site and was built, and until recently used, by Wiggins Special Metals as a wire drawing mill. The site is safeguarded within both the Hereford Local Plan and Herefordshire Unitary Development Plan as protected employment land.

1.2 Planning permission was approved in July 1961 for the erection of the building for wire drawing (wire mill). This use is a B2 general industrial use. Planning permission is now sought to enable the use of the building for a mixture of B2 and B8 (Storage and Distribution) with up to a maximum of 10% B1 (Light Industry).

2. Policies

2.1 Hereford Local Plan:

Policy H22	-	Existing Non-Residential Uses
Policy E2	-	Established Employment Areas
Policy E5	-	Hybrid Uses
Policy E7	-	Criteria for Employment Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S4	-	Employment
Policy DR13	-	Noise
Policy E7	-	Other Employment Proposals Within and Around Hereford and the Market Towns
Policy E8	-	Design Standards for Employment Sites

3. Planning History

- 3.1 BP7235 Erection of building for wire drawing. Approved 27/7/1961.
- 3.2 CE2001/2698/Z Application for Hazardous Substances Consent. Approved 19/2/2002.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No comment.
- 4.2 Welsh Water: No comments received.

Internal Council Advice

- 4.3 Traffic Manager: No objection subject to conditions requiring further secure cycle storage and a Green Travel Plan.
- 4.4 Conservation Manager: No objection.
- 4.5 Head of Environmental Health & Trading Standards: Comments awaited.

5. Representations

- 5.1 Hereford City Council; Hereford City Council has considered this application and has no objection but suggest a 50:50 use between B2 and B8.
- 5.2 Two letters of comment/objection have been received from T.P. & M.A. Flanighan, 68 Old School Lane and R.M. Rowberry, 66 Old School Lane. The main points raised are:
1. Additional traffic and particularly lorries on Old School Lane which is narrow, has concealed driveways, a narrow railway bridge and is used as a rat run would be a danger to highway safety.
 2. Additional lorry movements within the site will destrupt amenity.
 3. We are concerned with the operating hours as the factory is adjacent to our houses, particularly if they were to operate between the hours of 10pm and 6am.
 4. Special Metals continue to use the existing car park to the front of the building and if this continues there will be inadequate parking and lead to gridlock on Old School Lane.
 5. We are also concerned with the likely development of the land opposite the application site which will further exacerbate the likely problems on Old School Lane.
 6. Speed limits and signage should be reviewed on Old School Lane.

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

6. Officers Appraisal

- 6.1 The site and much of the land north of the railway line is protected within the Local Plan and the Unitary Development Plan for employment purposes. As such, both the continued use of the site for general industrial purposes along with the principle of other employment uses, namely B1 (Light Industrial) and B8 (Storage and Distribution) is acceptable on the site. The lawful use of the entire site, i.e. the building and its curtilage is for general industrial purposes and the permission granted in 1961 is unrestricted, i.e. there are no conditions restricting operating hours or delivery times.
- 6.2 Concerns have been expressed by residents who live adjacent to the site regarding potential impact of the mixed uses on their amenity and the additional traffic that might be generated. The Traffic Manager raises no objection to the safety of the access, parking provision within the site and also to the potential additional traffic on Old School Lane. As such this issue is considered acceptable.
- 6.3 In terms of residential amenity, the starting point must be the lawful use of the site for unrestricted general industrial purposes. There is therefore nothing to prevent a new occupier operating from the site 24 hours a day, 7 days a week. Nevertheless, the proposal could result in intensification in the use of the site with the potential for increased disruption to the amenity enjoyed by residents in the locality. Comments are still awaited from the Head of Environmental Health & Trading Standards with regards to this matter and the decision as to whether any restriction on operating hours or delivery/collection times is necessary will be dependant upon their comments. However, the applicants do not wish to see any such restriction(s) given the existing lawful situation.
- 6.4 The principle of a mixed B1, B2 and B8 use of the site is acceptable in policy terms and therefore subject to head of Environmental Health & Trading Standards raising no objection to the application, the proposal accords with the relevant Development Plan policies.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period and; subject to there being no objection from the Head of Environmental Health & Trading Standards, the Officers named in the Scheme of Delegation to Officers be authorised to approved the application subject to the following conditions and any further conditions considered necessary by Officers:

- 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. H29 (Secure cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

4. Within three months of the date of first occupation of any part of the building in connection with the planning permission hereby permitted, a Travel Plan containing measures to promote alternative modes of transport for employees including a schedule for its implementation shall be submitted to and approved in writing by the local planning authority and implemented as approved. A detailed written record shall be kept of measures undertaken to promote sustainable transport initiatives and shall be made available for inspection by the local planning authority upon reasonable request so as to enable monitoring of the plan to be routinely carried out.

Reason: In the interests of highway safety and to ensure that a range of sustainable transport initiatives are available to employees.

5. Any conditions considered necessary by the Head of EH&TS.

Informative:

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

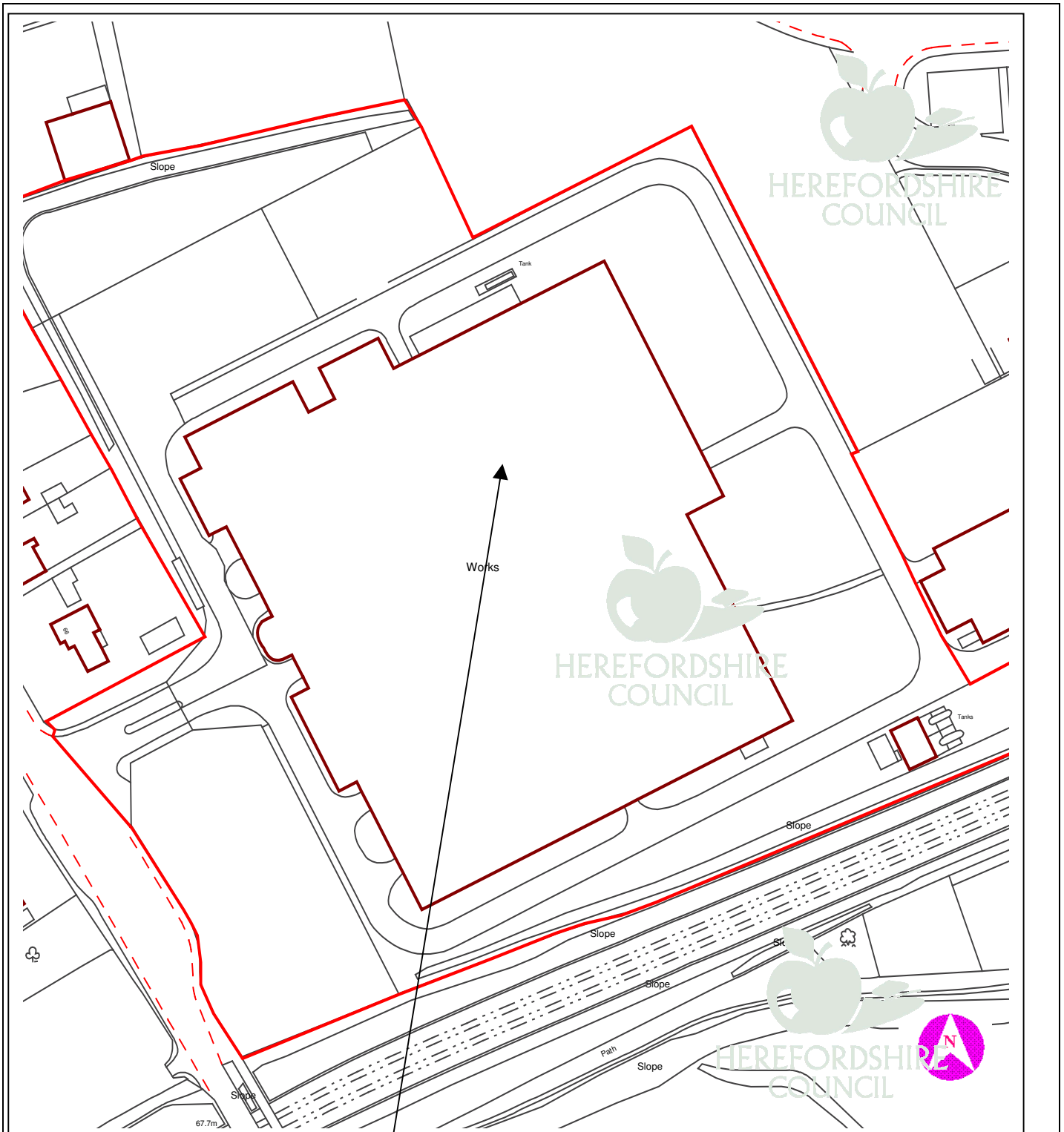
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0649/F

SCALE : 1 : 1250

SITE ADDRESS : Three Mills Trading Estate (formerly The Wire Mill), Old School Lane, Hereford, HR1 1EX

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