

Item No 02:-

15/03018/FUL (CT.1958/H)

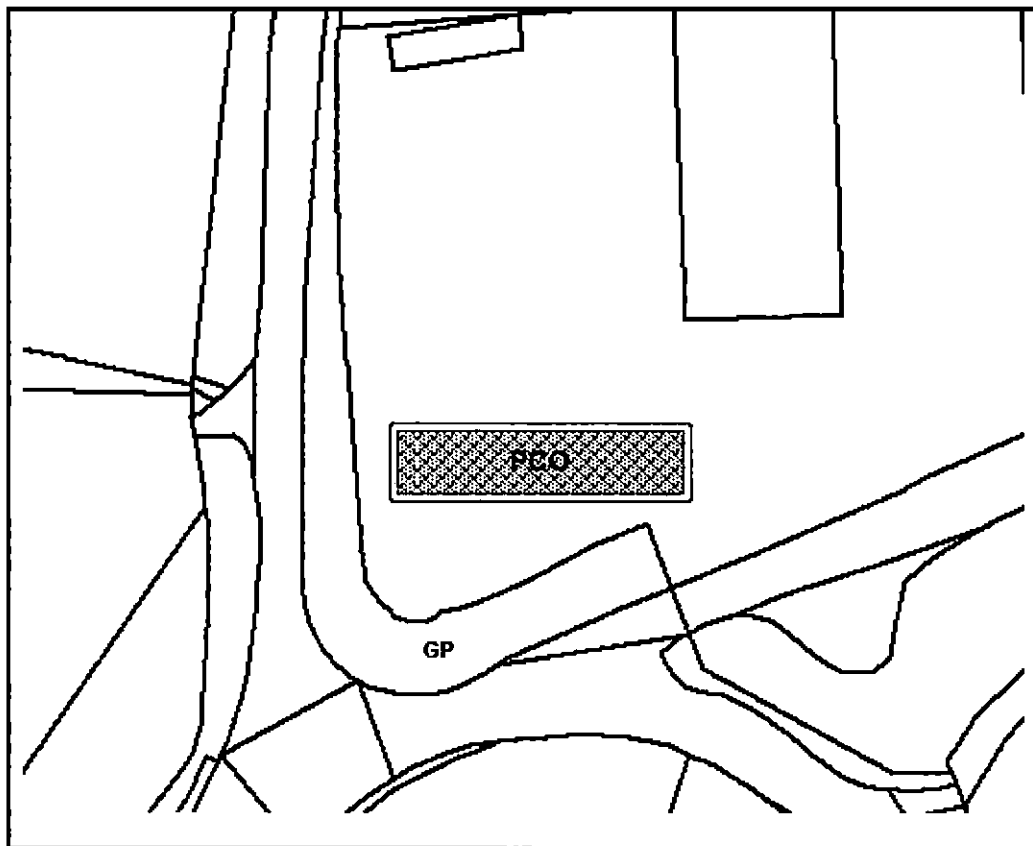
**Land Parcel Off Witpit Lane Adjacent
To The A417 404918 East 201036 West
Preston
Gloucestershire**

Item No 02:-

**Change of use to park two HGV's including trailers at Land Parcel Off Witpit Lane
Adjacent To The A417 404918 East 201036 West
Preston Gloucestershire**

Full Application 15/03018/FUL (CT.1958/H)	
Applicant:	AHS Logistics
Agent:	
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Shaun Parsons
Committee Date:	14th October 2015

Site Plan



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RECOMMENDATION: PERMIT

Main Issues:

- (a) Highway Safety and Traffic Generation
- (b) Impact upon Amenity

Reasons for Referral:

The Ward Member, Cllr Shaun Parsons, has requested that the application is brought to the Planning Committee to consider the potential adverse impact upon amenity, which have not been addressed by the applicant and also the impact for highway safety.

1. Site Description:

This application relates to a parcel of land measuring 100 square metres in area, which is within a farmyard screened from view by existing hedgerow and trees. The site is located to the eastern side of Witpit Lane, Preston, and shares an access road with three residential properties.

The application site is located outside any development boundary designated in the Cotswold District Local Plan 2001-2011, and is not subject to any landscape designation.

2. Relevant Planning History:

05/01965/FUL: Erection of an agricultural building. Permitted 05.02.1996

14/02240/FUL: Change of use to park two HGV's including trailers. Granted 10.09.2014
(Temporary permission for 1 year)

3. Planning Policies:

NPPF National Planning Policy Framework
LPR05 Pollution and Safety
LPR10 Trees, Woodlands and Hedgerows
LPR19 Develop outside Development Boundaries
LPR27 Diversification of Farms & Agric Estates
LPR38 Accessibility to & within New Develop
LPR39 Parking Provision
LPR45 Landscaping in New Development

4. Observations of Consultees:

Environmental Protection: No objection - comments included within the report.

Highway Authority: No objection - No vehicle collision(s) have been reported in respect to the use of the site or on the surrounding highway network as it relates to the proposed development at the site. It is considered that there is sufficient area for manoeuvring and turning facilities within the site to enable vehicles to enter and leave in a forward gear. The site is in a rural location which currently has agricultural vehicle use; therefore having considered the proposed use of the site, number of trips likely to be generated from the site. It is considered that the proposed development will not have a severe impact of safety on the local highway network.

5. View of Town/Parish Council:

Preston Parish Council objects to this application, as it is inappropriate for a residential village setting. The change of use has been in operation for at least the last 12 months and complaints about disturbance from noise has been made to CDC's Environment Officers who are liaising with local residents.

Nearby residents are regularly disturbed by the noise of lorries very early in the morning and very late at night (see attached schedule). There are trees on the site but screening is inadequate. The brightly coloured covers on the lorries are clearly seen from the road and PROW (see photograph) and this visual impact detracts from the rural character of the Village.

It is acknowledged that the lorry drivers have been using Witpit Lane to access the site and not the main route through the Village. However, the lorries are too large to negotiate the bridge, bends and oncoming traffic without damaging the verges on the single carriageway with few passing places. The surface of the road has also been severely damaged leaving many potholes (see photograph). This is worse on the lane between Witpit Lane and the site where there is a tight bend to negotiate creating a hazard for cyclists and horses.

If, however, the Planning Committee is minded to permit the application, the Parish Council requests that consideration is given to:

- Continued use of Witpit Lane and not allowing access via the Village;
- Restricting the time of day that lorries can be moved on and off the site with special consideration given to weekends;
- The lorries could be parked away from the hedge to reduce visual impact from the road and neighbouring residential properties;
- There is no increase in the number of cars parked on the site.

6. Other Representations:

6 letters of objection have been received, making the following comments: -

- noise disturbance and vibration as the HGV's park up and leave the farmyard, including at late hours
- visual impact from inadequate screening as lorries can be seen from the road
- with the pending to construct the solar farm the additional traffic
- precedent that would undermine CDC's commitment to Preston on retaining its rural feel
- damage to the road surface
- disturbance from lorry headlights
- if granted, would wish to see controls over hours of arrival and departure

2 letters in support of the application have been received, making the following comments: -

- No reason why they cannot continue, they do not drive through the village and you cannot see the lorries from the road
- The site is a farmyard and has been for longer than the complainants have lived here
- Tractors, trailers and other farm machinery use it regularly
- A bright yellow combine standing 5m tall is no different to a lorry being parked
- The site provides employment for 2 people

7. Applicant's Supporting Information:

None.

8. Officer's Assessment:

Application Site and Proposed Development

The application site is located within an established farmyard, located to the eastern side of Witpit Lane, Preston. There are two large agricultural storage buildings upon the site, with the area where the HGV's are parked being located to the south on an area of hardstanding. The site is screened by an established row of trees, including conifers, with a hedgerow below the canopy of these trees.

A temporary planning permission was granted on 10th September 2014 for a 1-year period by Planning Committee. This proposal seeks to retain the use of this land on a permanent basis.

(a) Highway Safety and Traffic Generation

Vehicles exiting the application site would either head west through Preston village, or north across the A419 before reaching the A417 London Road. Through the village, the lane is wide enough for two cars to pass and is subject to a 30mph speed limit; however beyond the entrance into the application site, the lane is single carriageway in width with a number of passing places and gateways to allow vehicles to pass.

The impact upon highway safety has been the subject of objections. However, the access is from a main unrestricted road used by HGV and smaller vehicles along an unrestricted lane with passing places big enough for two HGV's to pass each other with ease. The lane is also used by heavy farm machinery on a daily basis in connection with the farm.

With regard to the proposed use of the site, at the time of the previous application it was stated that the vehicles work away Monday to Friday, returning on a Friday afternoon, however when working from the site, then vehicles leave during the morning before returning in the afternoon / evening. There may also be some weekend use. The HGV's are C+E tractor trailer combination, with no goods stored overnight at the site.

The County Highway Authority has considered the submitted information, and has stated that there are sufficient manoeuvring and turning facilities within the site to enable vehicles to enter and leave in a forward gear. Whilst the carriageway is less than five metres in width in places, the only official passing bays are near the over bridge of the A417.

When the temporary permission was granted in September 2014, the Highway Authority commented that the site would only have a projected increase of 4-8 vehicular trips over a twelve hour daily period, and in this rural location which currently has intense agricultural vehicle use, the increased use of the proposed site would not be considered to create a severe impact on highway safety. Therefore, the Highway Authority has raised no objection to the proposal, and as such it is considered that the application accords with Local Plan Policies 38 and 39.

(b) Impact upon Amenity

In terms of visual impact, the site is well screened from public view by the established tree and hedgerow screening along the western boundary of the site. Whilst the representations received have made reference to the site being more exposed during the winter months when the hedgerow and deciduous trees have lost their leaves, any parking of vehicles that could be seen would be viewed in context with the agricultural buildings upon the site. As a working farmyard, at present there would be no restriction upon the storage of agricultural machinery or vehicles in this location, and as such it is not considered that a refusal of planning permission could be substantiated in terms of the impact upon visual amenity or landscape character.

With regard to residential amenity, there are residential properties on the opposite side of the access lane, as well as Witpit Lane. The nearest of these dwellings would be approximately 50 metres from the area where the HGV's would be parked, and screened from view by the existing

boundary treatment. The main potential impact, however, would be traffic noise from vehicles entering and leaving the site, as well as travelling along the lane through the village.

The Environmental Health Officer has raised no objection to the proposal, considering that the application site is currently used for agricultural purposes with various vehicle movements, loading and unloading activities. It is considered that the additional use of the site for the movement and storage of two lorries would be unlikely to significantly impact on the existing noise environment.

A complaint regarding noise was received, and a log of activity submitted by the occupants of one of the adjacent properties. However, following investigation by the Environmental Health Officer, it was concluded that there was no evidence to suggest a statutory nuisance, and that the comment of no objection made in respect of the earlier planning application was maintained.

In summary, given the nature of the established use of the site, it is considered that the impact arising from additional traffic generated by 2 HGV's would not materially impact upon the amenities currently enjoyed by occupants of neighbouring properties, and the proposal is not, therefore, considered to conflict with Local Plan Policy 5 or paragraph 17 of the NPPF.

9. Conclusion:

The proposed parking for 2 HGV's is considered to be acceptable with regard to the impact upon highway safety, visual and residential amenity, and the recommendation is that planning permission be granted.

10. Proposed conditions:

The development shall be started by 3 years from the date of this decision notice.

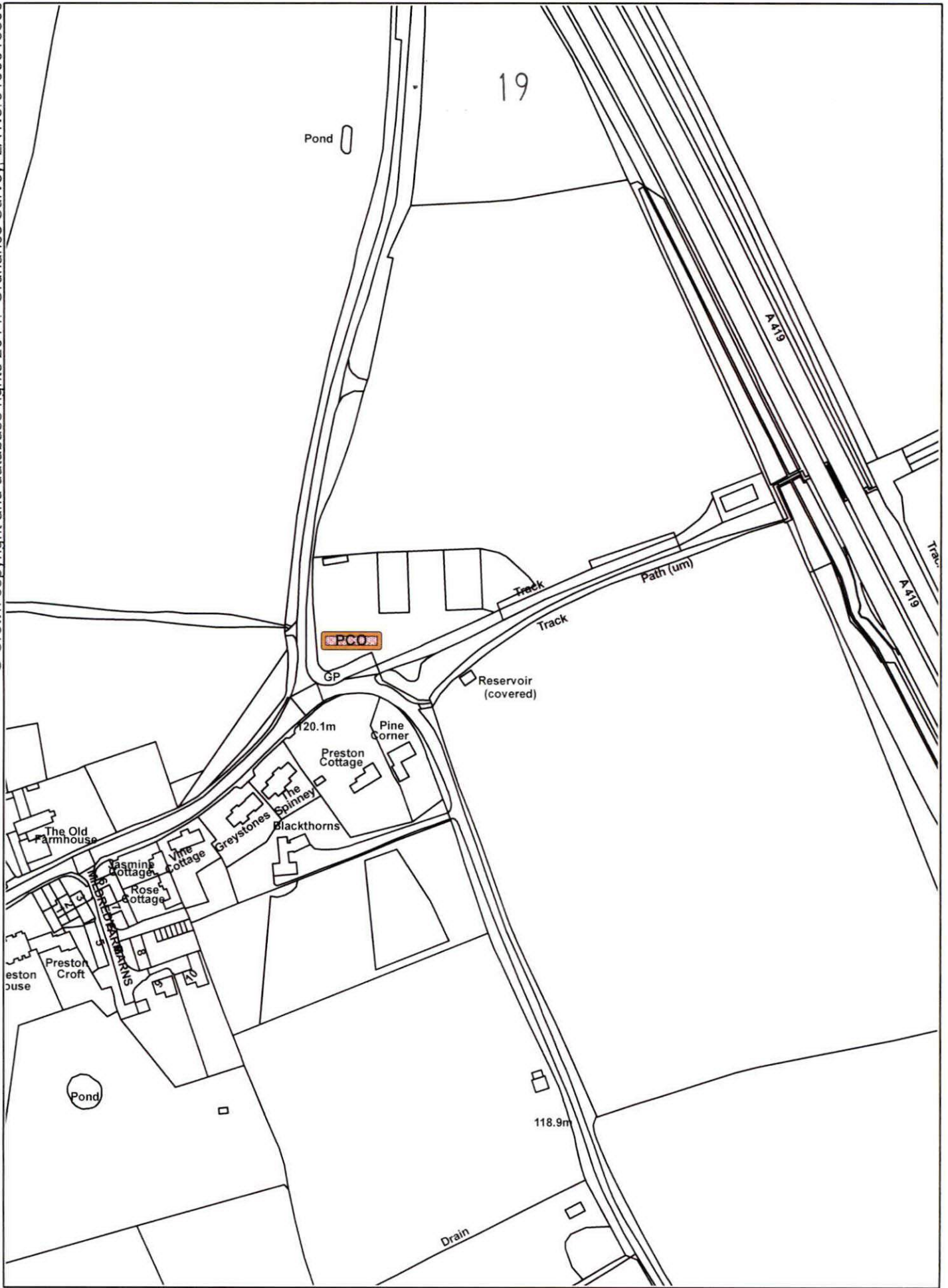
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the following unnumbered drawing: Site Plan received 13th July 2015.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

No more than 2 HGV's including trailers shall be parked within the application site at any time.

Reason: In order to define the permission and in the interests of residential amenity in accordance with Policy 5 of the Cotswold District Local Plan and paragraph 17 of the NPPF.



Not Set

Organisation: Cotswold District Council
Department:

Date: 01/10/2015 Scale: 1:2500

