

F/YR11/0574/F

20 October 2011

**Applicant : Mr W Boardman
GCE Fleet Hire**

Agent : none

300 Eastrea Road, Whittlesey, Peterborough, Cambridgeshire

Change of use of site to haulage yard and part change of use of existing warehouse to form office accommodation for lorry drivers, involving formation of mezzanine level (retrospective)

This proposal is before the Planning Committee as the Parish Council comments are at variance to the Officer recommendation.

This application is a major application.

Site Area – 1.079 hectares

1. SITE DESCRIPTION

The application site is situated on the southern side of Eastrea Road (A605), approximately mid way between Whittlesey and Coates. It is stated that there will be 90 full time employees. The main building accommodation to the west of the site will incorporate a warehouse, a general office, 5 en suite driver bedrooms, lounge/dining/kitchen areas and other ancillary accommodation. The remainder of the site to the east is occupied by an existing storage/workshop.

Access to the site is taken to the east of the site via a bell mouth, which was formed as part of a previous planning consent. The bell mouth access is approximately 15 metres back from the heel of the kerb of the A605 and incorporates an electric security gate with automatic controls linked to the cab of HGV vehicles entering and leaving the site. There is also an access to the west of the site to an existing office building, which is only suitable for small vehicles. A 1.8 metre high mesh fence is proposed in order to section off this area from the current proposal. To the north and west of the site and the A605 is found residential development, which is generally 2 storeys in height. The site is bounded by open fields on all other sides.

The yard area incorporates a separate staff car park for 20 vehicles, 22 general car parking spaces, a 7 bay trailer park, a vehicle wash bay, 15 HGV parking spaces, HGV hard standing and service area and an HGV/articulated turning facility within the yard.

2. HISTORY

Of relevance to this proposal is:

- F/YR08/0268/F - Erection of a building for use as a vehicle repair and MOT test centre and erection of 2.4 m high palisade fence and gates. Refused 13 May 2008 – appeal withdrawn pending resubmission.

- F/YR08/1025/F - Erection of 2 industrial buildings for use as parts and stores and partial demolition and extension to existing industrial building, erection of cycle shelter and 1.8 wire mesh fencing. Approved 17 February 2009.
- F/YR10/0337/F - Removal of condition 9 of F/YR08/1025/F Relating to the existing building on site to be retained as an ancillary building to the main business/use. Granted 21 July 2010.

3. CONSULTATIONS

Whittlesey Town Council:

The Town Council refuse this application due to the hours of operation and highways issues, when vehicles turn in they hang out half way across the A605.

Countryside Access Team:

The application site is adjacent to Byway Open to All Traffic No. 42, Whittlesey. It does not appear that the byway will be affected by the change of use, therefore, we have no objection.

The Middle Level Commissioners:

Will not be commenting on the application.

Environment Agency:

No objection to the proposed development subject to a surface water drainage condition.

Local Highway Authority (CCC):

The access arrangements are acceptable.

Contaminated Land Officer:

Consultation 1 - The consultants, MLM, recommended an intrusive investigation (sampling and testing of soils) to establish if there could be any impact upon the minor aquifer. But whilst samples were taken, there are no analytical results included, or conclusions regarding this potential issue. Likewise, reference is made by MLM for the requirement for gas monitoring, and gas monitoring wells have been mentioned in the attachments, but no evidence of the wells or monitoring results have been provided? Was an asbestos survey carried out as recommended by MLM? Currently it is unclear whether

MLM's recommendations have actually been followed with this application.

Consultation 2 - Forward photocopies of the transfer notes regarding material taken from the site, and also what it was replaced with, that would be useful.

Consultation 3 – Details of material imported and exported from site provided including asbestos.

Crime Prevention Officer:

No comments in respect of crime prevention.

Local residents/interested parties:

2 letters of objection received:
Lorries leave the yard at 3, 4, and 5 o'clock in the morning,
Noise pollution to residential properties in particular due to low speed acceleration,
Lorries and trailers stick out over the A605 causing traffic hazard particularly at night when they can not get into the site.

4. **POLICY FRAMEWORK**

FDWLP Policy

E9

- Proposals for the alteration and extension of existing buildings should normally:
 - i) respect the scale, style and character of the original building
 - ii) use matching materials
 - iii) have regard for the amenity of adjoining properties and the locality in general
 - iv) provide adequate access, parking, manoeuvring and amenity space, in accordance with the council's adopted standards.

E20

- The district council will resist any development which by its nature gives rise to unacceptable levels of noise, nuisance and other environmental pollution.
In considering proposals involving hazardous development, development in the vicinity of hazardous installations or the development of contaminated

sites, account will be taken of the amount, type and location of hazardous substances present, and the need for special precautions or restrictions to protect future uses of the site and any other affected land.

EMP1

- Proposals will normally be favoured for the establishment of new or the extension or expansion of existing firms engaged in business, general industrial, storage or distribution uses within the primary industrial/business areas as defined on the inset proposals maps.

Elsewhere within the development area boundaries such development will normally be permitted provided that:

- i) the nature and scale of the proposed development is appropriate to the locality
- ii) the development would not give rise to any serious amenity or highway objections or seriously conflict with other policies of the plan.

Outside development area boundaries the expansion of existing firms will only be permitted where criteria (i) and (ii) above are satisfied.

EMP3

- Proposals for the re-use or conversion of existing rural buildings for business, general industrial, storage or distribution uses will normally be acceptable where:

- i) the effect on the landscape in terms of visual amenity is not adverse

- ii) the form, bulk and general design are in keeping with the surroundings and the buildings respect local styles and materials (or their equivalent)

- iii) the traffic and highway implications are acceptable

- iv) the history of the use of the building shows that permitted development rights are not being abused.

	EMP4	- New business, general industrial, storage or distribution uses, unrelated to any existing activity will not normally be permitted outside settlement boundaries. Proposals for development directly related to local agriculture, horticulture or forestry, tourism and the extraction of minerals, may prove the exception. The nature and scale of such uses must be appropriate to the locality and not give rise to serious highway or amenity objections.
	EMP6	- The creation or expansion of industrial or commercial uses will not normally be allowed in areas where this gives rise to serious environmental or highway problems, particularly where such use constitutes a non-conforming use in a primarily residential area.
	PU1	- The District Council will expect new developments to make satisfactory arrangements for water supply, sewerage and sewage disposal, land drainage and flood protection matters.
East of England Plan	ENV7	- Quality in The Built Environment
	T8	- Local Roads
Fenland Communities Development Plan – Core Strategy	CS1	- Spatial Strategy, the settlement strategy and the countryside
	CS4	- Employment
	CS11	- Support by and access to infrastructure
	CS12	- Managing the risk of flooding
	CS13	- Sustainable Transport
	CS14	- High quality environments
National Planning Policy Framework	Section 1	- Delivering sustainable development – building a strong competitive economy
	Section 4	- Promoting Sustainable Transport
	Section 7	- Requiring good design
	Section 10	- Meeting the challenge of climate change, flooding etc.
	Section 11	- Conserving and enhancing the natural environment

5. ASSESSMENT

Nature of Application

The application is considered to raise the following key issues;

- Site history
- Principle and policy implications
- Layout and design
- Access
- Land contamination
- Amenity

Site History

The site of this application has an historic use for manufacturing and ancillary open storage. It is clear from the planning site history that commercial uses appear to date back to at least the 1940s. The application site has the benefit of planning permission for the erection of 2 industrial buildings, one of which has been constructed. The former use of the site was restricted in hours of operation.

Principle and Policy Implications

It should be noted that the previous use of the site falls under B2 (industrial) of the Use Classes Order. This application seeks to change that use to a 'sui generis' use, which is primarily a haulage and distribution activity. Had the proposal been B8 storage and distribution use, planning permission for that activity would not have been required. Although the site is outside established settlement boundaries, the re-use or conversion of existing rural buildings for a use of this type is normally acceptable under the policy framework identified above subject to amenity, landscape, design, highway, infrastructure and sustainable development considerations. In principle, the proposed use is acceptable under the policy framework outlined above.

Layout and Design

The site contains an existing building extending to approximately 1275.67 sq metres, a workshop extending to 432 sq metres, yard areas incorporating a separate staff car park for 20 vehicles, 22 general car parking spaces, a 7 bay trailer park, a vehicle wash bay, 15 HGV parking spaces, HGV hard standing and service area and an HGV/articulated turning facility within the yard. The layout allows for unobstructed access to all parts of the site for emergency and service vehicles. Adequate turning space is also provided within the site. However, the future use of the site will maintain separation between the existing office building to the west and the rest of the site by ensuring that the east access is the sole access to the site. This arrangement accords with policy and ensures that the site will operate in an acceptable manner. The site has already been landscaped under a previous consent and is satisfactorily contained within its setting.

Internally, the principle building to the west of the site will incorporate a warehouse, a general office, 5 en suite driver bedrooms, lounge/dining/kitchen areas and other ancillary accommodation. The accommodation is designed to ensure that drivers/visitors have convenient resting accommodation. This use is ancillary to the principle use of the site, and is, therefore, acceptable subject to a suitable condition linking it with the proposed use.

Access

The delay in determining this application was due to further detailed consideration of the turning movements both in and out of the site. On 2 occasions a demonstration took place whereby an articulated lorry would enter and leave the site from all directions. This demonstrated that there was a clearance of approximately 1.4 metres from the edge of the road where articulated lorries could sit whilst the electric gates opened. The operator has now introduced an automated opening system in all of his HGV Cabs to ensure that entry and exit can take place efficiently. The 15 metre reservation before the inwardly opening gates was subsequently confirmed by CCC Highways as being the required standard for an entrance of this kind. In addition, the site has a planning history of industrial and storage use for heavy vehicles. The objections raised in terms of traffic impact and highway safety are noted, but clearly the existing and historic use of this site should be taken into account when these matters are considered -notwithstanding that the entrance design meets CCC Highway standards for vehicles entering and leaving the site.

Land Contamination

Methods and details of materials imported and exported from site have been provided illustrating that there are no outstanding land contamination issues, therefore, complying with Local Plan Policies E20 and PU1.

Amenity

Planning permission was previously granted for a significant amount of new build development for general industrial purposes. The proposed change of use to haulage and distribution is not dissimilar to the previous use, which was restricted in hours of operation by a planning condition as the site is situated opposite residential development where issues of noise and activity are a planning consideration. The A605 divides adjoining residential property to the north from the application site to the south. This is a busy road, which generates noise and activity. The applicant has submitted a transport statement describing the pattern of traffic generation to and from the site and has stated in the application form that activity will be restricted to the same hours of operation. An acoustic consultant has submitted a report which indicates that, on occasion, up to 3 vehicles may arrive during night hours, but that these vehicles would have remote access to the gates in order to park overnight. Whilst the noise monitoring report states that there is unlikely to be any perceptible noise within adjoining residential properties and no significant 'drift' of noise from the site, this has not been proven conclusively. However, the A605 is a busy vehicular route and the additional movement of vehicles to and from the site is unlikely to make any significant difference in noise. One objector raised the issue of traffic leaving the site at unsociable hours, particularly when accelerating. It is considered that should planning permission be granted this could be controlled by a restriction on the hours of operation. Noise and activity generated from the change of use will not significantly affect adjoining residential properties given the nature of the A605 route. The proposal is, therefore, acceptable when considered against Planning Policies E9, E20, EMP1, 4 and 6; Draft Core Strategy CS14; and NPPG Section 7.

Conclusion

From a planning policy point of view the principle of development on this site for a haulage yard - which has a history of industrial development - is considered to be acceptable when considered against the policies outlined

above. However, other environmental factors, specifically traffic safety and residential amenity, are equally important determining issues. The Highway Authority has accepted the means of access to the site. Issues of noise and activity generated from the development were considered in the context of the sites historic use and the existence of the A605 and considered to be acceptable in that context. Land contamination issues have already been dealt with on site.

6. **RECOMMENDATION**

Grant, subject to the following conditions

1. **The temporary living accommodation hereby approved shall be used only in association with, and ancillary to, the use of the site as a haulage operation.**

Reason - A separate residential planning unit on this site would be unacceptable in this location as it would conflict with the overall use of the site as a haulage operation.

2. **No machinery shall be operated on the site/premises between the hours of 0700 and 2000, Mondays to Friday; 0800 and 1200, Saturdays or at any time on Sundays or Bank Holidays unless obtaining prior written approval from the Local Planning Authority.**

Reason - To safeguard the amenities currently enjoyed by the occupants of dwellings to the north of the site.

3. **Prior to first occupation of the development hereby approved visibility splays shall be provided at the junction of the principle access road to the east of the site and shall be 2.4 metres x 120 metres in both directions and maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.**

Reason - In the interest of highway safety.

4. **No vehicular or pedestrian access shall be taken to the site from the western access to the site (shown on the application plan as land within the control of the applicant). The existing 1.8 metre wire mesh fence shown on drawing 07241 AL 108 shall be retained and maintained in perpetuity unless an alternative barrier to access is agreed in writing with the Planning Authority.**

Reason: In the interests of highway safety.

5. **No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.**

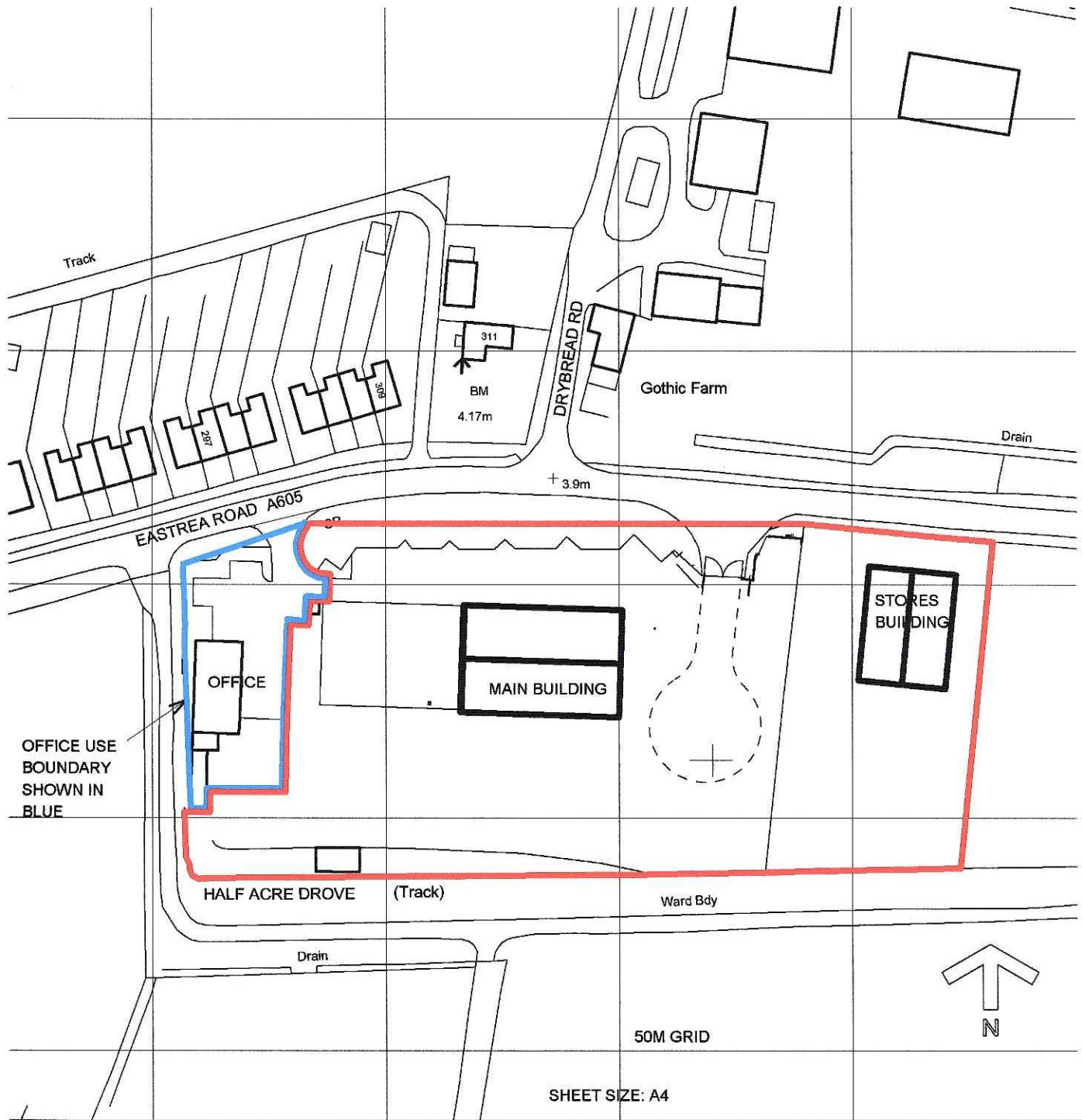
Reason: To ensure protection of controlled waters.

6. **The use hereby permitted shall only operate between the hours of 0700 and 2000, Mondays to Fridays; 0800 and 1200, Saturdays; and not at all on Sundays or Bank Holidays unless obtaining prior written approval from the Local Planning Authority.**

Reason - To safeguard the amenities currently enjoyed by the occupants of dwellings to the north of the site.

7. **No security or floodlights shall be erected on the site without the submission of full details to, and written approval of the Local Planning Authority.**

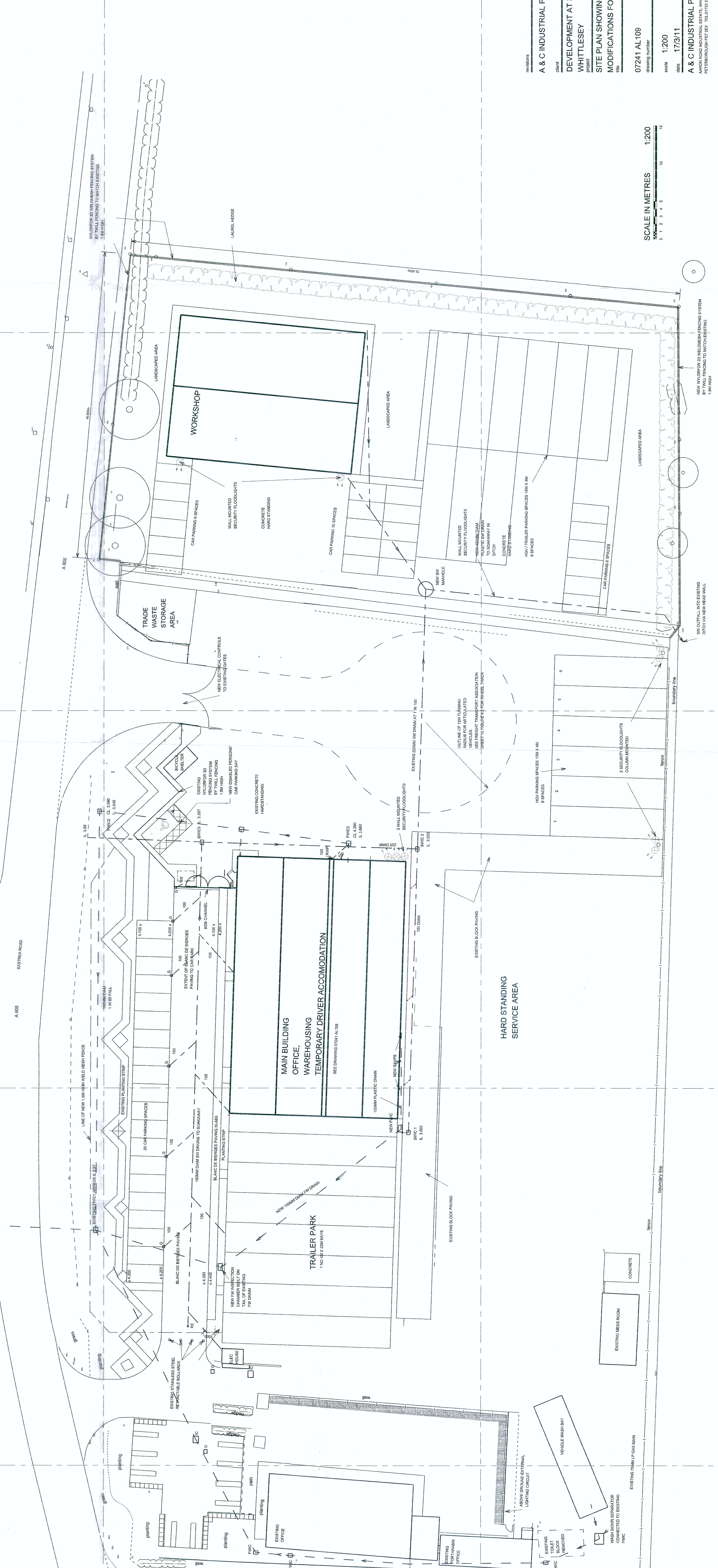
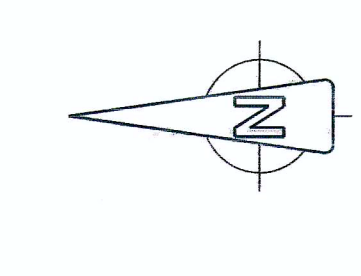
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client	A&C INDUSTRIAL PROPERTIES LTD	scale	1:1250
project	DEVELOPMENT AT 300 EASTREA RD WHITTLESEY	date	17/3/11
title	LOCATION PLAN SHOWING BOUNDARY OF TRANSPORT HAULAGE CO. HQ	author	
drg no	07241 AL110	checked	
revisions			



SCALE IN METRES 1:200

revision SHEET SIZE: 1195 X 894
 A & C INDUSTRIAL PROPERTIES LTD
 client
 DEVELOPMENT AT 300 EASTREA RD
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 project
 SITE PLAN SHOWING
 MODIFICATIONS FOR AB TEXTILES
 title
 07241 AL109
 drawing number
 scale 1:200
 drawn
 17/9/11
 checked
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