

F/YR15/1127/F

Applicant: A B Texel UK Ltd

**Agent : Mr J Mills
Contour Planning Services**

300 Eastrea Road, Whittlesey, Peterborough, Cambridgeshire

Erection of a 3.0m high (max height) fence

Reason for Committee: This application is related to application reference F/YR14/0979/F which is being heard at this Planning Committee Meeting.

1 EXECUTIVE SUMMARY

This is a full application for a 3 metre high fence to the front of the existing premises at 300, Eastrea Road in Whittlesey. The proposed fence is to be of timber construction and will provide an acoustic barrier to the existing business as part of a noise attenuation scheme associated with another pending application (F/YR14/0959/F). The fence will be located within the existing landscaping around the perimeter of the site and the development also involves the relocation of access gates 7.5 metres into the site.

The key issues for consideration for this proposal are the principle of the development, the visual impacts that may arise, the impacts on nearby residential amenity and economic considerations.

The proposal is considered to be acceptable in visual terms subject to the submission and implementation of a landscaping scheme for additional planting, will not adversely affect residential amenity and will allow for the continued contribution to the local economy and therefore accords with Policies LP2, LP6 and LP16. The application is therefore recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site is located to the south of Eastrea Road (A605) and is approximately mid-way between Eastrea and Whittlesey. The site is occupied by an established business, A B Texel. Access to the site is via an existing access point off Eastrea Road and leads to a large yard area with hardstanding, a vehicle maintenance workshop and office buildings.
- 2.2 The site is bounded by fencing and automatic access gates and to the south, east and west of the site is open agricultural land. To the north of the site is a row of housing and some farm buildings. The closest residential property is 311 Eastrea Road and is approximately 60 metres to the north of the site. The main town of Whittlesey is located further to the west of the site.

3 PROPOSAL

- 3.1 This application seeks full planning permission for the erection of a 3m high acoustic fence to part of the front of the application site, involving the relocation of access gates further into the site, to be located 7.5m into the site. The acoustic fencing is to be located behind the existing landscaping and security fencing on the perimeter of the site and will be located from the easternmost point of the main building across the site frontage and along to the mid-point of the vehicle maintenance building.

- 3.2 The proposed acoustic fence is to be of timber construction with a maximum height of 3 metres. The timber boards will be lapped and staggered to give a close-boarded fencing effect. The fence will be fixed to the ground by posts and foundations. This application is related to another application on this Committee Agenda, F/YR14/0979/F, which proposes the variation of a condition, further details of which are provided in paragraph 8.2 of this report. This current application is for an acoustic fence to mitigate and noise impacts arising from the variation of condition application.

4 SITE PLANNING HISTORY

4.1	F/YR14/0979/F	Variation of condition 6 of planning permission F/YR11/0574/F (Change of use of site to haulage yard and part change of use of existing warehouse to form office and accommodation for lorry drivers, involving formation of mezzanine level) to enable alteration of hours of operation and to specify the number of HGV movements.	Pending	
4.2	F/YR13/0733/F	Variation of condition 6 (relating to operating hours) of planning permission F/YR11/0574/F.	Withdrawn December 2013.	3 rd
4.3	F/YR11/0574/F	Change of use of site to haulage yard and part change of use of existing warehouse to form office and accommodation for lorry drivers involving formation of mezzanine level.	Granted July 2012.	27 th
4.4	F/YR10/0337/F	Removal of condition 9 of planning permission F/YR08/1025/F relating to the existing building on site to be retained as ancillary building to the main business/use.	Granted July 2010.	20 th
4.5	F/YR08/1025/F	Erection of 2 industrial buildings for use as parts and stores and partial demolition and extension to existing industrial building and erection of cycle shelter and 1.8m wire mesh fencing.	Granted February 2009.	17 th
4.6	F/YR08/0268/F	Erection of a building for use as vehicle repair and MOT test centre and erection of 2.4m high palisade fence and gates. The refusal reasons included: The proposal is contrary to Planning Policy Statement 1: Delivering Sustainable Development in that the proposed boundary treatment would result in a negative visual impact and would fail to adequately secure the site.	Refused May 2008.	13 th
4.7	F/YR02/0944/F	Continued use of land for stationing of portacabin for office use.	Approved September 2002.	24 th
4.8	F/99/0376/F	Continued use of land for stationing of portacabin for office use.	Approved August 1999.	23 rd
4.9	F/98/0719/F	Erection of extension to existing factory; siting of 1 no. portacabin for staff amenity; cycle shed; car parking and landscaping.	Approved January 1999.	6 th
4.10	F/96/0218/F	Change of use of land for temporary stationing of portacabin for office use.	Approved August 1996.	7 th
4.11	F/0802/87/F	Use of arable land as industrial open storage.	Granted September 1987.	10 th

5 CONSULTATIONS

Town Council:

Recommend approval.

Middle Level Commissioners:

No response received.

CCC Highways:

No objections subject to a condition relating to the location of gates.

Cambs Police Architectural Liaison:

No objections, recommendations or further observations in relation to community safety and crime reduction aspects.

FDC Environmental Health:

Accepts the acoustic barrier. The barrier calculations detailed in the acoustic consultant report should be applied.

Local Residents/Interested Parties

None received.

6 POLICY FRAMEWORK

6.1 National Planning Policy Framework (NPPF)

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 19: Significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 123: Planning decisions should seek to avoid or mitigate noise impacts of development

Section 3: Supporting a prosperous rural economy.

6.2 National Planning Policy Guidance (NPPG)

Design

Health and Wellbeing

Noise

6.3 Fenland Local Plan 2014

LP1: A Presumption in Favour of Sustainable Development.

LP2: Facilitating Health and Wellbeing of Fenland Residents.

LP6: Employment, Tourism, Community Facilities and Retail.

LP15: Facilitating the Creation of a More Sustainable Transport Network in Fenland.

LP16: Delivering and Protecting High Quality Environments across the District.

7 KEY ISSUES

- **Principle of Development**
- **Visual and Residential Amenity**
- **Health and wellbeing**
- **Economic Growth**

8 BACKGROUND

- 8.1 The site has had an established industrial use for a number of years (see history section). The use of the site was formally changed in 2011 to a haulage yard and use of part of the existing warehouse to form office and accommodation for lorry drivers (ref: F/YR11/0574/F). The main building was converted as part of this application to provide an office and overnight accommodation for drivers arriving on site for the night, and this remains the situation.
- 8.2 This application has been submitted to support a current pending application (ref: F/YR14/0979/F) to vary condition 6 of the above application (F/YR11/0574/F) to allow unrestricted HGV movements and associated activities from 0800 to 2000 hours Mondays to Saturdays; provide an earlier finish time for the vehicle workshop and wheel washing facility on Monday to Fridays (1900 rather than 2000) and enable an earlier start on a Saturday (0700 rather than 0800); allow unrestricted HGV movements from 0800 to 2000 on Sundays and Bank Holidays, and outside of the unrestricted hours, allow a maximum of 9 HGVs within each 24 hour period.
- 8.3 As part of the above variations, the submitted application made reference to an acoustic fence, which would require planning permission in its own right which has led to the submission of this application. The Environmental Health Team were of the opinion that the acoustic fence was required to achieve the correct mitigation levels to protect nearby residential amenity and as such this application is considered in conjunction with the current pending application to vary condition 6 (F/YR14/0979/F).

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP16 seeks to ensure that all new development will only be permitted if it can be demonstrated that the proposal meets the relevant criteria, which includes retaining and incorporating natural and historic features of the site such as trees, hedgerows, field patterns, drains and water bodies (part c); makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area (part d); does not adversely impact on the amenity of neighbouring users such as noise, light, pollution, loss of privacy and loss of light (part e).
- 9.2 The proposal seeks to introduce fencing and relocate the access gates to an existing business premises within the existing landscaping and fencing of the site and, subject to acceptable visual and residential visual amenity impacts, is

considered to be acceptable in principle in accordance with LP16. The issues of landscaping, the character of the area and residential amenity will be discussed further below.

Visual and Residential Amenity

- 9.3 Policy LP16 seeks to ensure that new development responds to the local environment, retains natural features of the site and protects residential amenity. This application proposes a 3m high close boarded fence to the site frontage and the relocation of the access gates. Both the fencing and gates are to be acoustic to mitigate against any unacceptable noise levels from the premises.
- 9.4 The proposed fence is to be 3 metres in height and will be positioned behind existing landscaping and security fencing. Although the fence is relatively high, it will be partially screened by the existing vegetation to the site perimeter and its timber construction is considered to be less visually intrusive than a metal security type fencing. It is considered that additional landscaping would be beneficial in terms of the visual amenities of the areas and therefore it is proposed to include a condition for the submission and implementation of a scheme for additional planting along the front of the proposed fencing to further reduce the visual impact of this development. Furthermore, within the site is located 2 warehouse type buildings with areas of hardstanding and lorry parking, and as such the introduction of this fence will not detract visually from the surrounding area as the industrial character of the existing premises contributes little to the visual amenities of the area. As such, in combination with the existing landscaping and a condition to secure additional planting, the proposal is not considered to cause harm to the surrounding area in visual or landscape character terms and therefore complies with Policy LP16 parts c and d.
- 9.5 The site is in relatively close proximity to existing residential dwellings to the north and north west of the site. In residential amenity terms, this application has been submitted to address and mitigate against noise concerns arising from the site and the pending application to allow further unrestricted access for HGVs between longer hours than originally permitted. The fence forms part of a wider mitigation strategy including remote controlled access, regulated parking areas and restriction in lorries engines idling whilst within the site. The proposed fence is considered necessary to achieve the required noise levels and as such will contribute to the protection of the residential amenity of nearby dwellings in noise terms. The proposal is therefore considered to comply with part (e) of Policy LP16 in this regard.

Health and wellbeing

- 9.6 Policy LP2 states that development proposals should positively contribute to creating a healthy, safe and equitable living environment by, amongst other things, promoting high levels of residential amenity, creating opportunities for employment in accessible locations and avoiding adverse impacts. It is considered that the introduction of the proposed acoustic fence would not result in any adverse impacts on the amenities of nearby residents in visual terms and would provide the necessary mitigation to help in the protection of their amenities in noise terms. This would also enable to business to continue in this location, safeguarding local employment. The proposal is therefore considered to comply with Policy LP2.

Economic Growth

- 9.7 The proposed fence will contribute to the mitigation of noise from an existing business and will allow for its continued running and expansion. As such this will support Fenland's economy and complies with Policy LP6 in this regard.

10 CONCLUSIONS

- 10.1 The proposal has been assessed against the relevant local and national planning policies and has been found to comply in terms of visual impact (subject to additional planting), the local character, residential amenity, health and wellbeing and economic growth. As such the proposal is recommended for approval.

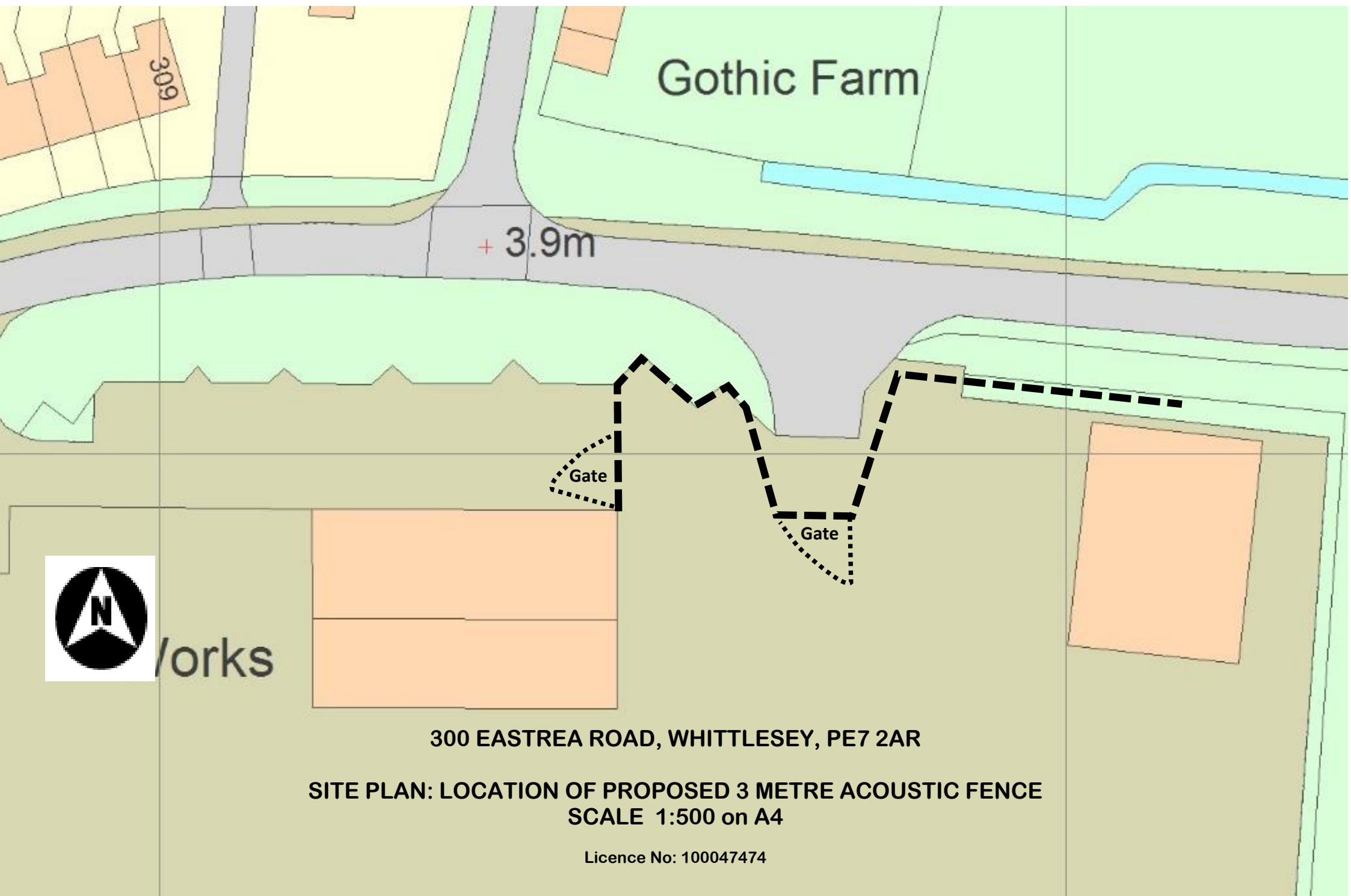
11 RECOMMENDATION

Grant

Conditions:

1.	<p>The development to which this permission relates must be commenced not later than the expiration of three years from the date of this permission.</p> <p>Reason: To conform 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.</p>
2.	<p>The acoustic barrier shall achieve the noise reduction levels as specified in the Acoustic Consultant Report Ref: 1414518 dated 23rd January 2015.</p> <p>Reason: In the interests of protecting residential amenity of nearby residents and to ensure the fencing complies with the proposed mitigation measures for the site in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
3.	<p>Prior to the commencement of the development hereby permitted, a landscaping scheme for additional planting to the front of the acoustic fence shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the existing landscaping to be retained, species and amounts of additional planting and the timings for this. The landscaping shall then be carried out in accordance with the approved scheme and thereafter retained in perpetuity.</p> <p>Reason: In the interests of protecting and enhancing the visual amenities of the surrounding area in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
4.	<p>If, within a period of five years from the date of the planting, any of the soft planting pursuant to condition 3 is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority,</p>

	<p>seriously damaged or defective, shall be replaced by planting as originally approved. This shall be undertaken by the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants unless the Local Planning Authority gives its written approval to any variation.</p> <p>Reason: To ensure the environment of the development is improved and enhanced in accordance with Policies LP16 of the Fenland Local Plan (Adopted May 2014).</p>
4.	Approved Plans.



Gothic Farm

+ 3.9m

Gate

Gate

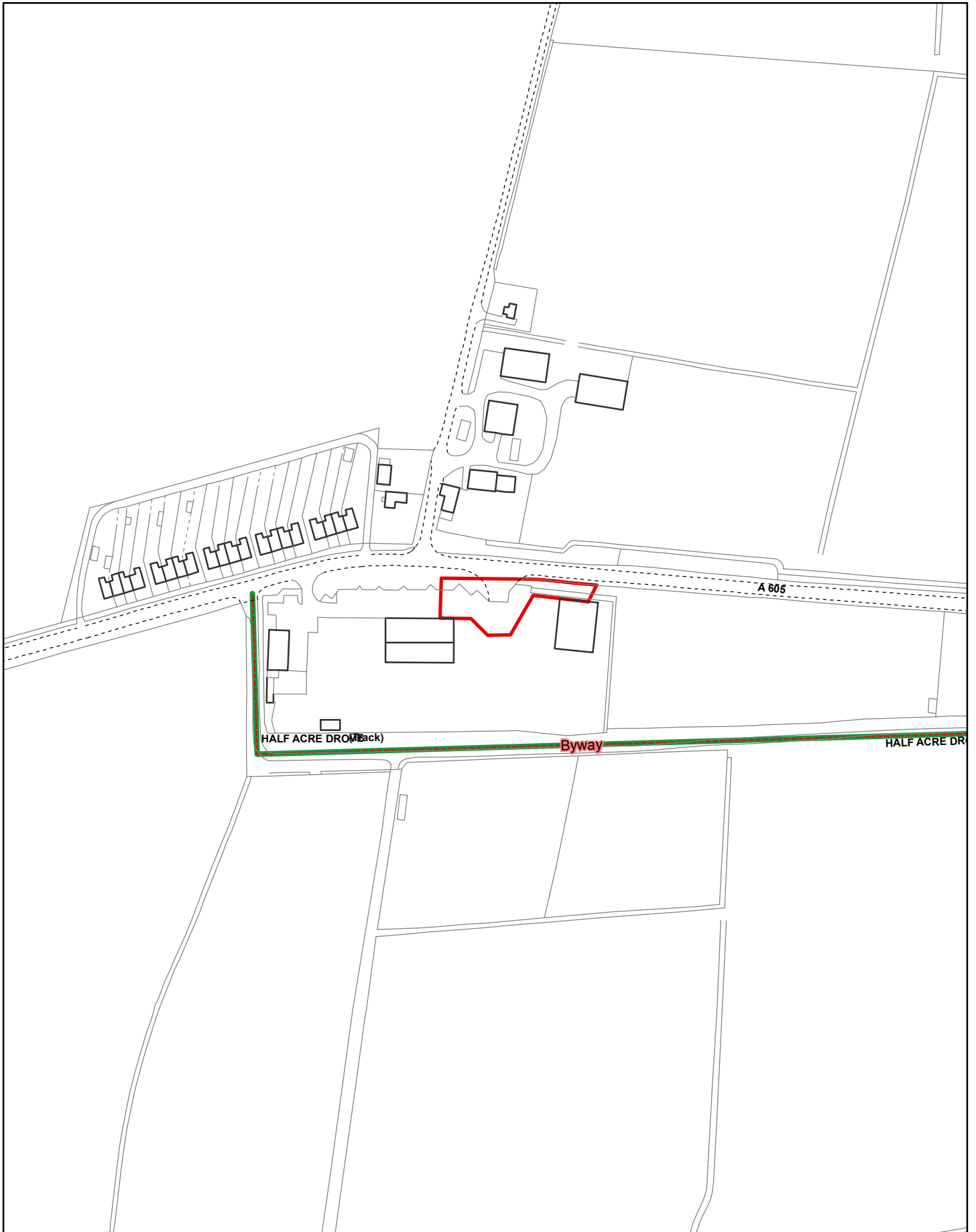


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300 EASTREA ROAD, WHITTLESEY, PE7 2AR

SITE PLAN: LOCATION OF PROPOSED 3 METRE ACOUSTIC FENCE
SCALE 1:500 on A4

Licence No: 100047474



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Scale = 1:2,500



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