

ADDENDUM REPORT PLANNING COMMITTEE 1ST April 2010

Item: 6.7

Site: Land at Bell Close (east of Parkstone Lane), Newnham Industrial Estate, Plympton, Plymouth PL7 4JH

Ref: 10/00174

Applicant: Mr and Mrs S Rowland

Pages: 81-92

1. Members are advised that a further nine letters of representation were received, which raise the following additional objections and concerns:-

1. The sale of the land would forfeit the Council's control and management of the site.
2. Contrary to the application, there has been no industrial building on the site.
3. The site is near to a residential area.
4. Noise and pollution affecting residents, i.e. from the maintenance of fairground equipment and vehicle movements.
5. A precedent would be set for future families to join the site or elsewhere on the industrial estate.
6. Where is the evidence of the demand for this site? What studies have been done by the Council into reasonable alternatives?
7. Will the number of caravans and people be limited?
8. The area has wildlife and diversity value.
9. There is a mobile phone mast nearby and having regard to the emissions from masts, is the site safe for residential use?
10. The planning site notices were removed and not replaced.
11. What will happen with sewage and drainage?
12. There will be increased rubbish and waste.
13. Any use of electricity generators will be noisy.
14. Contrary to the application, Colebrook does not have a post office or bank and the shop is not a supermarket.
15. The occupiers of the site might complain about the noise from existing industrial activity and this could jeopardise business operations in the area.
16. There will be increased pedestrian traffic between Bell Close and Parkstone Lane.
17. What assurances is there that access will be from Bell Close?

Other comments have been made in representations that imply negative stereotyping in relation to travelling showpeople and these comments cannot be considered on this basis, and on the basis that they are not planning matters. Other comments such as the impact on property values are also not planning matters.

These representations raise a number of significant concerns. With regard to noise, the main difficulty with the site is that it is open and any noise would be unconstrained by buildings. In this respect the maintenance, repair and testing of fairground equipment (including sound systems) could be a particular problem and such activities would need to be carefully restricted.

As a precautionary measure it is recommended that testing of fairground equipment (including sound systems) should not be allowed.

Another noise generator would be the loading and unloading of equipment and associated vehicle movements potentially late at night and such movements and operations would also need to be carefully controlled. The use of lighting would also need to be controlled. With regard to the wildlife and diversity value of the site, it is considered that the site's location on industrial estate land means that the site could at any time be developed for industrial purposes, subject to receiving planning permission, and on this basis it is unlikely that wildlife would outweigh these considerations. With regard to sewage and drainage, the application states that surface water would be drained to soakaway and that foul would drain to the mains and these details are secured by the recommended condition. With regard to rubbish and waste, it is recommended that condition 4 be amended to secure adequate bin storage. With regard to the use of electricity generators, these are considered to be potential sources of noise that exceed what could be justified in a residential area and as such a condition is recommended that prevents their use unless a need for them can be demonstrated and that their use will not be harmful to residents. With regard to concerns that occupiers of the site might complain about the noise from existing industrial activity, and that this could jeopardise business operations in the area, it is considered that the nature of travelling showpeople occupancy is one which lends itself to discreet use of such sites and that any excessive noise generated by other industrial estate users is likely to lead to complaints from existing residents in nearby streets as much as from the occupiers of the site.

2. The applicant's agent has submitted an indicative site layout plan that shows the vehicle maintenance and storage area towards the rear of the site and the three individual living areas situated towards Bell Close/the eastern boundary with the adjoining industrial plot. This layout appears to be acceptable in principle, although details of the number and type of vehicles attending and/or kept on the site should be conditioned and those shown on the plan are not necessarily acceptable.

3. The Transport Officer does not wish to raise any objections to planning permission being granted and recommends an informative note be added to any decision notice regarding lowering of the kerb. In view of the Transport Officer's recommendation there is no longer a need for condition 12, regarding the submission of junction details.

4. Other issues that are not addressed in the planning report relate to the height of the storage of vehicles and equipment, landscaping, hardstandings, refuse disposal and the actual number of lorries, vans and trailers at the site. It is recommended that details of these aspects of the development are sought by amending condition 4.

5. In view of the above it is recommended that condition 4 be amended as follows:-

(4) The site shall not be used in any way associated with the use hereby permitted until details of the layout of the site, including:

- the siting and levels of, and any works to construct bases or foundations for, the residential caravans and touring caravans;
- the layout and construction of all access, turning and parking areas;
- any other hardstandings and hard surfaced areas;
- the details and siting of any associated building, plant or machinery including any necessary for the provision of gas, water and electricity;
- the layout and construction of residential amenity areas, including those to provide landscaping and play areas for children;
- the layout and construction of defined areas for the storage, repair and maintenance of fairground rides, equipment and machinery;
- the maximum height of storage of fairground rides, equipment and machinery;
- refuse storage areas and
- the detailed means of foul and surface water drainage;

have been submitted to and approved in writing by the Local Planning Authority. The permitted use of the land shall accord with the approved details.

Reason:

In the interests of visual and residential amenity and to avoid the parking and storing of vehicles and/or equipment on the highway, in accordance with policies CS15, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

The following additional conditions are also recommended;-

(13) The site shall not be used in any way associated with the use hereby permitted until details of the total number and type of vehicles attending or stored at the site are submitted to and approved in writing by the Local Planning Authority. The permitted use of the land shall accord with the approved details.

Reason:

In the interests of visual and residential amenity and to avoid the parking and storing of vehicles and/or equipment on the highway, in accordance with policies CS15, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

(14) There shall not at any time be any testing of rides, equipment and machinery, including sound systems.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting noise and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

(15) There shall not at any time be any use or operation of electricity generating equipment.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting noise and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(16) There shall be no works of repair or maintenance of rides, equipment and machinery and no loading and unloading of any rides, equipment and machinery outside the following times: 0800 to 1800 hours Monday to Friday inclusive and 0900 to 1300 hours on Saturdays; nor at any time on Sundays, Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(17) There shall be no transport of rides, equipment and machinery to or from the site outside the following times: 0800 to 2100 hours Monday to Friday inclusive and 0900 to 1800 hours on Saturdays and 1000 to 1300 hours on Sundays, Bank or Public Holidays. In this condition the transport of rides to and from the site shall not include any loading or unloading of rides, equipment and machinery.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(18) No development shall take place until full details of soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the number, size, species and layout of all planting. Any plants that die or are seriously diseased or damaged within five years shall be replaced in the following planting season with similar plants.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(19) Details of any floodlighting and any other external lighting shall be submitted to and approved in writing by the Local Planning Authority before the permitted use of the land is implemented. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the

vicinity in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.