DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H01-0950-18**	**Applicant:**	**Mrs Lucy Turner**
Proposal:	Change of use to storage, distribution and light assembly work - approved under H01-0421-02. Modification of Condition 5 to allow 5 HGV's per week for delivery or despatch		
Location:	Fairview Farm 19 Mill Drove South Cowbit		
Terminal Date:	21st November 2018		

Planning Policies

Local Plan July 2016:

SG1	General Sustainable Development
SG14	Design and Layout of New Development
SG17	Protection of Residential Amenity

National Guidance

National Planning Policy Framework 2018

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a s73 application to amend Condition 5 of H01-0421-02 which restricts the site to one delivery and one dispatch per week by way of articulated HGVs. It is proposed that the condition be modified to allow 5 HGVs per week for delivery or despatch. The condition currently allows for 2.

Site Description

The site is currently used for the assembly, storage and distribution of pallets. There are residential properties located to the north along the frontage of Mill Drove South and an agricultural yard to the south. Disused railway land is opposite.

Representations

SHDC Environmental Protection - No objection. I understand that the hours restrictions detailed in the previous planning permission (H01-0421-02) will continue to apply. I am not aware of any noise complaints regarding the business.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

A member of the public has objected, raising the following queries:
- What size of HGV will be used? The term HGV covers small lorries up to articulated lorries carrying 20 tons.
- What time of day will these be in operation?
- What associated noise will take place with forklift loading/unloading and the accompanying light and noise pollution?
- The road condition has deteriorated since the by-pass made Mill Drove South a no through road with a number of pot holes and surface cracks appearing. The use by HGV will only accelerate the poor state of the road surface.
- How do you propose to monitor the 5 HGVs per week?
- What type of distribution is undertaken?
- The term 'light assembly work' covers a number of concerns regarding noise levels during the day, are there any details of what this may be?

Material Considerations

- Residential amenity
- Highways

The following can be confirmed in relation the above public objection:

- Condition 5 of H01-0421-02 specifically refers to articulated HGVs.

- With regard to hours of operation, Condition 4 of H01-0421-02 states that: "There shall be no commercial vehicular movements onto, off or within the site, nor any loading/unloading/mechanical materials handling between the hours of 19.00 and 07.30 Mondays to Saturdays or at any time on Sundays, Bank and Public Holidays." These operational hours must still be adhered to.

- In terms of noise issues, Condition 2 of H01-0421-02 states that: "All assembly, and any industrial operations, shall be limited to business as defined in Class B1 of the Town and Country Planning (Use Classes) Order 1987; that is, the use shall be such as could be carried on or installed in the locality without detriment to the residential amenity of that locality because of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit." B1 Uses are considered to be compatible with residential properties and it is not considered there would be a material adverse impact on residential amenity. Furthermore, SHDC Environmental Protection have not objected to the application.

- The condition of Mill Drove South is the responsibility of the Local Highway Authority (Lincolnshire County Council). LCC Highways have not objected to the proposed modification of the condition.

- The Council do not undertake any specific monitoring of vehicle movements, but may do so in the event that it is made aware of a possible breach of condition.

- In respect of the type of distribution undertaken and the term 'light assembly work', there is no proposal to change the type of work currently undertaken on site from that approved under H01-

0421-02 - This application only relates to a proposed increase in HGVs accessing the site from 2 to 5.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies SG1, SG14 and SG17 of the South Holland Local Plan (2006), as well as Section 12 of the National Planning Policy Framework (2018). It is not considered that the increase from 2 to 5 lorries per week would have a material adverse impact on residential amenity in the locality, and SHDC Environmental Protection have not objected to the application on noise grounds.

The recommendation is therefore for a delegated approval.