CASE OFFICER'S REPORT

Application Reference:	PL/2023/04824
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	17 August 2023
Case officer:	Jonathan James

Site Address:	Hardstanding yard area (at Ox House) accessed off Dunkirk Hill, North West of Devizes, SN10 2LU, Grid Ref: 399134 , 162163.
Proposal:	Use of an existing hardstanding area for a temporary construction compound required to facilitate the installation of a new water main which will improve the water quality in Devizes town centre.
Recommendation:	Approve with Conditions

POLICIES

Wiltshire Core Strategy (WCS) (2015)
• Core Policy 12 Spatial Strategy: Devizes Community Area;
• Core Policy 51 Landscape
• Core Policy 57 Ensuring High Quality Design and Place Shaping
• Core Policy 60 Sustainable Transport;
• Core Policy 61 Transport & Development;
• Core Policy 64 Demand management

Devizes Area Neighbourhood Plan (DANP, 2015)

National Planning policy Framework (NPPF) (2021)

Planning Practice Guidance (PPG)

REPRESENTATIONS

Rowde Parish Council – No objection subject to condition; The Parish Council is concerned about the access to and from the site. It does not consider that the visibility splay is wide enough. The visibility splay needs to be widened exiting onto the A342. If possible, the entrance would benefit from being a double access entrance. The yard should be set back a distance from the gate so that vehicles are cleared quickly from the A342. It was requested that the number of vehicle movements to and from the site are regulated.

WC Highways – Comments; having considered the additional information I am happy to offer no highway objection subject to the applicant adhering to the operational details outlined in the approved Transport Note.

Previous comments: I apologise for the lateness in my reply.

The information provided states that vehicle movements will be around 5 two way movements a day. I am happy that if this is the correct number then the impact of turning vehicles on the passing A road traffic should not be significant However, the statement does suggest that this area is for waste storage and material storage and as such the vehicles are likely to be larger HGVs. Though the access is an existing agricultural one I am minded that it does not benefit from radii on both sides (particular on the Devizes side) . As such I believe it important to ask for a tracking diagram from the applicant which shows that HGV vehicles can enter and leave the site in forward gear (without over running the highway verge). If this is not achievable (which I suspect it isn't) I will expect some widening to the access . I would also like a drawing showing the available visibility splay , I am minded it should meet standards but I would like this demonstrated.

Once I have the drawings for consideration I will be able to confirm if improvements to the access are necessary or not.

I look forward to seeing the revised information.

The following is a summary of the third party comments received –
• Site is being used by Grist Environmental for other uses to farming since May 2023.
• No change of use has been applied for in relation to this change of use.
• Hours of operation of the existing events use is early till late.
• Unauthorised storage of other vehicles.
• Access into the farm is inadequate to allow vehicles to enter without impacting on the free flow of traffic.
• Better visibility splays should be accommodated.
• Access inadequate to allow vehicles to pass at the same time.
• Significant increase in traffic using this site entrance and delays could exacerbate problems.
• Conditions should be imposed to ensure highway safety.
• Competittion between users of the site for access.
• Do not object to Wessex water using the site for the temporary compound.

ASSESSMENT:

The site is located in what is construed as countryside along the A342 (Dunkirk Hill) and forms part of the existing farmyard setting. Access is as existing off the adjacent A342 and there are no proposed changes to the access point.

The application before the council for determination is for a temporary compound which is required to facilitate replacement works to water mains in the town of Devizes. The compound would be sited here temporarily for 20 months whilst these essential works take place in Devizes.

The compound will comprise of proposed storage container, a portable toilet area, ‘Haras’ fencing and laydown area and construction compound area, with parking. On completion of the improvement works there will be no further requirements to access this location and all equipment will be removed from site.

Principle of development

The proposed development has been considered against the relevant parts of the Town and Country Planning (General Permitted Development) (England) Order 2015 and it has been found to require planning consent.

The proposed development is temporary in both nature and duration and would therefore not have a long term affect on the character or amenity of the area. The proposed temporary use and minor level of development would not set a precedent for the future use of this piece of land and therefore not allow future encroachments. It is considered in this instance that the fact that works are required for the upgrading of the local water main infrastructure within the area that these circumstances would justify accepting a temporary works compound within this location.

Impact on neighbour amenity

The temporary site would be located approximately 67 metres from the nearest dwelling to the north and 47m to the nearest dwelling to the south. The existing agricultural use would have included large farm vehicles operating across and around the site, as such the proposed operations through this development, of a temporary nature, would not be so significant as to warrant a reason for refusal in this instance. There would be no direct overlooking or overbearing issues from the proposed development. On balance it is considered that there would not be an impact on neighbouring properties.

Highways

The application proposes use of an existing access into the site off the A342. Comments received from the highways officer requested further detail, which has been now been provided by the applicants. Highways have been re-consulted and have concluded that having considered the additional information they offer no highway objection subject to the applicant adhering to the operational details outlined in the approved Transport Note.

Traffic movements will be kept to a minimum and will involve operational plant, delivery vehicles and staff vehicles. In addition, signage will be erected to warn both pedestrian and vehicular traffic of the site entrance and advising vehicular traffic to slow near the access point. Provision of on-site parking will also be provided.

It is of note that this is also a temporary consent utilising an existing access. As such it is considered that the proposal would not have a detrimental impact on highways safety.

Conclusion

The proposed development would not result in a detrimental impact on any neighbouring properties; highways safety is considered not an issue; and the temporary nature of the development for the necessary works to the local water mains supply is sufficient justification to make an exception for a temporary compound in this instance.

RECOMMENDATION:
Approve subject to conditions

Conditions: (4)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
- Application Form
- Planning and Environmental Supporting Statement (dated 15/06/2023)
- Traffic Note: Management of Access to Compound Site (dated 02/08/2023)
- Location Plan, Dwg No. B18155-WWSL-XX-XX-D-T-7010
- Site Plan, Dwg No. B18155-WWSL-XX-XX-D-T-7011

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The development hereby approved shall be carried out in strict accordance with the operational details as detailed within the approved Traffic Note: Management of Access to Compound Site (dated 02/08/2023).

REASON: In the interests of highway safety.

4 The development hereby permitted shall be removed and the use discontinued and the land restored to its former condition on or before the 29th April 2025 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of a building/use for which permission can be justified only on the basis of a special temporary need.