

Gordon Bell's Objection to Planning Application BN/42/21/PL

Summary

- **The development requires 2 separate applications – residential and commercial**
- **Commercial vehicle access via Eastergate Lane presents unacceptable risks**
- **The detail in the Planning Application includes many false statements**
- **The commercial proposal far exceeds the commercial loss**
- **The scope of the proposed commercial use classification (E) is unacceptable**
- **Encouraging further use of Eastergate Lane by HGVs contravenes WSCC Strategic Aims and Policies**

The Detail

- 1) **This development requires 2 separate applications – Residential & Commercial.**

This proposed development should be the subject of 2 proposals since those proposals cover 2 completely different developments with different entrances and different use classes – (i) Residential (ii) Commercial. I have no objection to the residential development proposed BUT I have many objections to the commercial development proposed for this location. That commercial development should be located in a designated commercial location, such as Ford – or at the very least have its access created from the new A29 NTI, which would be straightforward and would avoid all of the potential problems identified in (2) below.

- 2) **Commercial Vehicle Access from Eastergate Lane Presents Unacceptable Risks**

Eastergate Lane is not a suitable location for commercial units requiring access by HGVs. The proposed design of the commercial development does not allow 2 HGVs to pass on the access road and HGVs cannot park perpendicular to the commercial units. This will mean that when more than 1 HGV arrives at the site, any HGVs not already on site will need to wait on Eastergate Lane. This is not an acceptable arrangement. We have had recent experience of a similar circumstance affecting the Parkers / Premier Meat site only 75m east of this proposal. There 2nd and subsequent HGVs would need to wait on Eastergate Lane, creating a hazard to traffic and especially cyclists and pedestrians as there are no footways on Eastergate Lane. In addition, even though the receiving site had specified operating hours, HGVs from far away would still arrive at 3am or 4am, to avoid morning rush hour traffic elsewhere and then park for hours with their engines running outside the bedrooms of school children living on Eastergate Lane, waiting for their destination site to open. This will be repeated if the commercial element of this proposal is approved. An entrance to the proposed site from the new A29 NTI would solve most of the potential problems identified here.

If the proposal is accepted, that acceptance would include the use of Eastergate Lane as a waiting area for HGVs. This is not acceptable and would need a “No Waiting” order to be enacted for the whole of Eastergate Lane.

3) The Detail in the Planning Application (PA) includes many false statements.

Note; The application mixes references to the old site, the new residential site and the new business site, which creates errors and mis-statements throughout.

The Site; Item 4 of the PA identifies the site area as 9331 sq m. This is the area of the site of the new development that fronts onto Eastergate Lane, which is correct. Elsewhere in the application reference is made to the site being the whole of the existing holding of the applicant, which is incorrect. The application refers to the new development only.

Item 5 describes the works as including the demolition of the existing buildings. That operation is surely not part of this application and not the responsibility of the applicant. The existing buildings do not lie within the 9331 sq m area specified as the site area.

Item 6 of the application describes the use of the original holding of the applicant, NOT the proposal site – which is a fallow field.

Item 9 of the application again refers to the original holding not the development site, which is a fallow field.

Item 10 of the application is a LIE. There certainly are trees and hedges both within the site and adjacent to the site. (On the north, west and eastern boundaries). Item 10 is a false declaration.

Item 18 is misleading since the combined development includes multiple commercial units that will need employees to operate them. This makes item 18 a false declaration.

Item 19 “Hours of Opening not relevant” is again misleading since the proposed commercial units will need to have specified and approved opening hours, which will need to be limited in accordance with their location in a residential area. There are at least 3 dwellings within 70m of either the vehicle entrance or the units themselves. This makes item 19 a false declaration.

Item 20 declares that there will be no industrial or commercial activities or processes BUT the requested use class “E” includes a very wide spread of uses including industrial and commercial processes. Thus item 20 is a false declaration.

Item 21 declares that there will be no storage of hazardous substances – but that would need to be limited in any permission because the commercial units will not be operated by the applicant.

Item 22 is a LIE, since the site can be seen from Eastergate Lane and will be visible from the new A29 NTI and its associated footways.

Item 26 is a false declaration – see the items above.

4) The Commercial Proposal Far Exceeds the Commercial Loss

Whilst the existing commercial site is claimed to be 3 buildings, in fact only 1 has B8 use class approval. The floor area of the proposed commercial units is 726 sq m and the application states that the existing commercial floor area is 689 sq m BUT of the existing 689 sq m ONLY 281 sq m has use class B8 approval as a carpet warehouse.

The proposal effectively seeks approval to almost TRIPLE the commercial floorspace, in a largely residential location, using a wholly unacceptable access arrangement.

5) The Scope of the Proposed Commercial Use Classification (E) is Unacceptable

The existing 281 sq m of commercial space has B8 use class approval for Storage and Distribution and is used as a carpet warehouse.

The proposal seeks use class approval “E” for 5 units with a total floor area of 726 sq m.

Use class E has massive scope and includes;

Class E - Commercial, Business and Service

Class E is introduced from 1 September 2020.

In 11 parts, Class E more broadly covers uses previously defined in the revoked Classes A1/2/3, B1, D1(a-b) and ‘indoor sport’ from D2(e):

- E(a)** Display or retail sale of goods, other than hot food
- E(b)** Sale of food and drink for consumption (mostly) on the premises
- E(c)** Provision of:
 - E(c)(i)** Financial services,
 - E(c)(ii)** Professional services (other than health or medical services), or
 - E(c)(iii)** Other appropriate services in a commercial, business or service locality
- E(d)** Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)
- E(e)** Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- E(f)** Creche, day nursery or day centre (not including a residential use)
- E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
 - E(g)(i)** Offices to carry out any operational or administrative functions,
 - E(g)(ii)** Research and development of products or processes
 - E(g)(iii)** Industrial processes

The operation of the 5 proposed units for the uses permitted in class E, above, would be wholly unacceptable in the proposed location.

6) Encouraging Further Use of Eastergate Lane by HGVs Contravenes WSCC Strategic Aims and Policies

The WSCC Transport Implementation Plan includes the following strategic Aim;

“Discouraging HGVs From Using Unsuitable Roads”

Eastergate Lane has a road surface less than 7m wide, it has no footpaths or pavements, it can only be accessed by HGVs from the west via a narrow, acute-angled junction with the A29 that offers very poor visibility splays from Eastergate Lane. It is the very essence of an unsuitable road for HGVs.

Many vulnerable road users, on foot and cycles, including school children and the less able, have no choice but to use Eastergate Lane to access essential services. All will be put at increased risk by an additional commercial unit accessed by commercial traffic. This risk will be further increased during the winter when daylight hours are few and conditions underfoot on the verges are treacherous.

The proposal also contravenes numerous other WSCC Strategic Policies, including;

Locational Strategy Policy LOC1

Countryside Policy LOC2

Policies NE8, NE9, NE12 & NE14

Policies ERA1 & DEV1-6