

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>5 OCTOBER 2016</b>
<b>TITLE OF REPORT:</b>	<p><b>131913 - VARIATION OF CONDITION 15 OF PERMISSION S102843/F TO ALLOW 2 NO. SALES PER MONTH (FORTNIGHTLY) AT BRIGHTWELLS AUCTION AT THE FORMER MADLEY AIRFIELD, STONEY STREET, MADLEY, HEREFORDSHIRE, HR2 9NP</b></p> <p><b>131916 – VARIATION OF CONDITION 4 OF PERMISSION 102843 TO ALLOW SALES OF COMMERCIAL VEHICLES AT BRIGHTWELLS AUCTION AT THE FORMER MADLEY AIRFIELD, STONEY STREET, MADLEY, HEREFORDSHIRE, HR2 9NP</b></p> <p><b>For: The Owner and/or Occupier per Barton Willmore, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=131913&amp;search=131913">https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=131913&amp;search=131913</a>
<b>Reason Application submitted to Committee – Re-direction</b>	

**Date Received: 11 July 2013**

**Ward: Stoney Street**

**Grid Ref: 341889,237307**

**Expiry Date: 5 September 2013**

Local Members: Councillor SD Williams

## **1. Site Description and Proposal**

- 1.1 The application site is located on the eastern side of the unclassified road (U73209) known as Stoney Street that runs to the south-west from The Comet Inn on the B4352 (Clehonger Road) towards Kingstone. It is approximately mid-way between the entrance to the Madley Earth Satellite Station and the industrial estate. The site lies adjacent to the existing poultry units.
- 1.2 Planning permission was obtained in 2011 for the change of use of the site to provide an auction for agricultural & land based plant, machinery & equipment, including vehicular access, demountable ancillary office and amenity building, landscaping & boundary treatments & associated works. This was implemented shortly afterwards and has been operating for this purpose since this time. The auctions currently take place on a monthly basis. Parking is accommodated within the site along with modular buildings and amenity buildings that are sited in a position to the centre of the auction areas and that accommodate the office and administrative staff.
- 1.3 As required by the planning permission, a new access has been formed onto Stoney Street (south west of the site) with security gates. The visibility splays are 2.4m by 215m in each direction.

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Further information on the subject of this report is available from Ms Kelly Gibbons on 01432 261781

1.4 The planning permission (102843) included a number of conditions that controlled the use of the site, including hours of operation and traffic management.

1.5 These planning applications are made under section 73 of the Town and Country Planning Act 1990 (as amended) that relates to determination of applications to develop land without compliance with conditions subject to which a previous planning permission was granted. On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

The application should still be considered in accordance with development plan and material considerations as they stand at the moment.

1.6 The use of the site is *to provide an auction for agricultural & land based plant, machinery & equipment, including vehicular access, demountable ancillary office and amenity building, landscaping & boundary treatments & associated works*. If the Council grants the application with new conditions the outcome will be a new planning permission.

1.7 Application 131913 seeks the variation of condition 15 that states:

15. *Auctions shall only take place on one day per calendar month (excluding Saturdays, Sundays and Bank Holidays). Auctions shall not take place outside of the hours of 10am and 4pm on these days.*

*Reason: In the interests of the amenities of the locality and in the interests of highway safety in accordance with Policies DR2 and DR3 of the Herefordshire Unitary Development Plan*

The variation sought is to allow two sales per calendar month. The rationale for two sales days has been described as to allow the sale of goods over a longer period of time, rather than being sold in a highly condensed single auction day. The two sales days will be split two weeks apart to spread the customers and goods being sold. Two sales days would allow the sale of the same goods but over two days along with additional online sales. There would likely be additional new customers to the second auction day but given the limited market for the items (i.e. the site does not attract members of the public), given the largely specialist nature of the items sold, there is not expected to be a major growth in additional customers.

1.8 Application 131916 seeks the variation of condition 4 that states:

4. *The premises shall be used for the auction (including administration of) of agricultural and land based plant and machinery and equipment) and for no other purpose.*

*Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy DR2 of the Herefordshire Unitary Development Plan*

The variation sought is to allow, additionally, the sales of commercial vehicles at the auctions. The proposed commercial vehicle sales are described as being a smaller element to the operation of the site alongside the existing larger plant, machinery, agricultural equipment and

sundry items. The commercial vehicles will be sold alongside the existing lots at the site and encompass machinery such as goods vehicles comprising, trucks, semi trucks, vans, and trailers.

- 1.9 During the course of the application it was identified (during a sale day site visit) that the site was operating on sale days using the access to the north. Condition 12 of the planning permission requires this access to be closed. The applicants subsequently sought to include the use of this access for sale days and provided updated Transport Assessments and plans. However, having established that the visibility splays required for this were not achievable on land within the control or ownership of the applicants, the agent has now confirmed that the main entrance in the centre of the site will be used. The email dated 8<sup>th</sup> July 2016 states:

*I have spoken with my client who confirms that in light of the issues with the northern access visibility splay my client will agree to use only the existing main site entrance (the one in the middle of my client's site) as the access for deliveries and all other traffic. This will therefore allow the site to operate in accordance with the existing planning permission and therefore enable the approval of the S73 applications for the extra sale day and sale of commercial vehicles.*

## **2. Policies**

### 2.1 Herefordshire Local Plan – Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS4	-	Movement and Transportation
SS5	-	Employment Provision
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
E1	-	Employment Provision
SD1	-	Sustainable Design and Energy Efficiency

The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

### 2.2 National Planning Policy Framework

- Introduction
- Achieving Sustainable Development
- Building a Strong, Competitive Economy
- Supporting a Prosperous Rural Economy
- Promoting Sustainable Development

### 2.3 National Planning Practice Guidance

### 2.4 Neighbourhood Development Plan

Madley Parish Council applied to designate a Neighbourhood area on 9 March 2015 and was designated on the 14 April 2015. The Neighbourhood Development Plan is at the drafting stage and therefore whilst a material consideration presently has no weight in the determination process.

<https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/madley>

### 3. Planning History

- 3.1 102843 – Change of use of site to provide an auction for agricultural & land based plant, machinery & equipment, including vehicular access, demountable ancillary office and amenity building, landscaping & boundary treatments & associated works – Approved with Conditions - 30 March 2011

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=102843&search=102843>

- 3.2 142276/F - Proposed demountable office unit – Approved with conditions 30 October 2014

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=142276&search=142276>

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 None

#### Internal Council Consultations

- 4.2 Transportation Manager has made the following comments;

#### **April 2014:**

Contribution to TRO on Stoney Street to include engineering measures, this could be costly to ensure signage and possible coloured surfacing, until reviewed, unsure what the measures would be.

#### If you are minded to approve

The visibility splays from the previous application must be enforced.

Signage review for the sales including size, type lettering must be undertaken and approved by the highway authority. The signs must be erected and removed 2 days either side of the sale only. The signs have the potential for being out permanently with the risk of blocking visibility and confusing normal road users.

The Traffic Management Plan must be reviewed to reflect the potential conflict with peak traffic and schools in the location. This will need to be reviewed regularly and open to review from the council, can this be put into a S106 agreement rather than conditioned?

#### Remaining concerns still to be addressed

The main concern I still have is that the proposal put forward by Brightwells is specific to the user, the permission will be for sales at the location which have specific highway concerns around Stoney Street and Bridge Sollers including junctions with poor visibility.

If the location was to be taken over by a different organisation, what controls are in place to ensure the signing on sales day, the traffic management plan and review will be undertaken as set out in the application?

If this cannot be done then the assessment must be on the potential for the site and the impact based on similar areas, TRICs do not provide survey results though other similar sites may be found. The assessment will need to be on the worst case scenario. The proposal put forward is to spread the 1 day sale over 2 with the same residual trips in collection and deliveries, the assessment must take it as 2 separate days, condensing the trips associated.

## **April 2016**

The issue appears to remain regarding the visibility splay as shown in the plan below, this doesn't give the confidence required that the visibility splays can be secured or maintained.

The extent of the public highway is not the front face of hedgerow, the adjacent boundary needs to be set back behind the requisite splays and allow for enough room for growth. The drawing doesn't provide this. It is also intimated that the over growth in the highway can be dealt with by the highway authority, this is something that should not happen.

Can the applicant provide a plan of the visibility splays that provide a suitable set back.

The applicant references the signing, there will need to be consultation and approval from the councils service providers, there is a requirement to recover cost, this won't be significant but will need to be recouped.

## **August 2016**

The original application dealt with the access though there were concerns about the maintenance of the splays.

Reverting back to the original plan is acceptable as long as the access is maintained as per the conditions.

## **5. Representations**

5.1 Madley Parish Council has made the following comments over the course of the application:

### **July 2013**

Madley Parish Council objects to this application due to concerns regarding volume and speed of traffic and the size of vehicles relating to the site. Residents on Stoney Street are already unhappy with the impact the traffic travelling to and from this site is having and it is felt that allowing additional sales and the sale of commercial vehicles will only increase these problems.

Traffic travels at high speed along Stoney Street causing issues with noise and highway safety. These problems are also exacerbated by the poor condition of the road surface which increases the noise caused by the traffic. It should be noted that condition 6 of the original permission S102843/F states that the delivery of plant and machinery, their loading and unloading, shall not take place outside of the hours of 9am and 5pm Monday to Friday nor at any time on Saturdays, Sundays or Bank Holidays. Condition 13 of the original permission states that development shall not begin until details of the works to Stoney Street (pinch point – signing and lining strategy) prior to the first use of the site have been submitted to and approved in writing by the local planning authority, and the development shall not be occupied until either the scheme has been constructed in accordance with the approved details or a timetable for its completion has been agreed in writing by the local planning authority. Residents of Stoney Street say that neither of these conditions have been complied with and that deliveries take place at all hours, including Saturdays, with some drivers parking up overnight waiting to deliver early the next morning.

Nobody is aware of a pinch point signing and lining strategy being implemented, which in the original application was highlighted as necessary for highway safety. Please can these issues be addressed.

Condition 14 of the original permission states that a traffic management plan shall include details of instructions to delivery drivers regarding routes to and from the site (and how this will be recorded as being sent/received/agreed). The transport statement submitted only states that the preferred access route to the site will be via Stoney Street and the B4532 and the B4348. Visitors will be advised to access the site via the above routes. The parish council would request that the B4348 be the preferred route to Stoney Street as this would have less impact on residents. As the transport statement submitted with the original application is dated November 2010 and mostly relates to historical data from the previous site, with the proposed data for the current site being estimated, it would be proposed that a new current transport statement be prepared with data from the current site, especially as much of the data in the transport statement is based on (and repeatedly refers to) the auction running for only 12 days per year, which is not in line with the current proposals to double this. Should the application be approved, the parish council would emphasise that a reduced speed limit on Stoney Street be implemented and that the preferred access route to Stoney Street be the B4348, in the interests of highway safety and amenity of local residents.

#### Comments Sept 2013

No additional comments

#### Comments Feb 2016

No further comments

#### 5.2 Letters of objection have been received from:

- Mr and Mrs Matthews, Stokes Cottage
- Mr and Mrs Chandler, Lyndale, Madley
- Mr and Mrs Kury, Snowdrop Cottage
- Mr and Mrs Jones, 2 Stoney Street Cottages, Madley
- Mrs Gilbert, Street House Farm, Stoney Street, Madley
- Mr C Wise, New House, Madley
- Mr and Mrs R Worwood, Upper House, Stoney Street
- Mr and Mrs Breeze, the Hale, Stoney Street
- Mr and Mrs Harrison, Ashford House, Madley
- Mr Lawrence, 2 The Paddocks, Kingstone

#### 5.3 The main concerns are summarised as follows:

- Existing sale already has a severe impact on the traffic in the area and a second sale will have further impacts. Increase of 50%
- Additional traffic movements esp. HGV's on already busy road
- No passing places and difficult for vehicles to pass
- Manoeuvring of large vehicles into the site causes blockage of road.
- They park up at night and wait for the site to open.
- Need speed limit
- No break from the impact of traffic if every fortnight
- Already experience heavy traffic close to property and to the pinch point
- Failure to comply with the conditions on deliveries and pinch point scheme. Traffic management not being complied with either.
- Noise and vibrations caused by lorries at all times of day / night.

- Statements within the application are false or misleading.
- Purpose of second sale is to increase business.

5.4 The consultation responses can be viewed on the Council's website by using the following links:-

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=131913&search=131913> and  
<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=131916&search=131916>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

## 6. Officer's Appraisal

6.1 The use of the site is considered to be an employment use that has rural based agricultural activity serving a wide agricultural community in Herefordshire, the surrounding counties and beyond with agricultural plant and equipment sales. This use has been implemented and been in operation since 2012.

6.2 Policy E1 of the Herefordshire Local Plan – Core Strategy, in line with the objectives of the National Planning Policy Framework, seeks to build a strong and competitive economy. This includes encouragement of the expansion of local business and the reduction in the need to travel. The policy states that there will be a focus for new employment provision in a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy with larger employment proposals being directed to the strategic employment sites of Hereford, the market towns and rural industrial areas. Development proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged where:

- The proposal is appropriate in terms of connectivity, scale, design and size;
- The proposal makes better use of previously developed land or buildings;
- The proposal is an appropriate extension to strengthen or diversify an existing business operation;
- The proposal provides for opportunities for new office development in appropriate locations;

6.3 The applicants now employ 20 people for operations at Madley (auctioneers, administration, plant and machinery fitters, loading/unloading staff, security and caterers). There are also apprentices and IT specialists. There is potential to grow with an additional 7 to 10 jobs at the site through the proposed variations to the conditions. In 2014, the applicants advised that the site has a turnover of £15 million a year of which 70% is directly related to agricultural land based activities. Online sales are key and growing, with the applicants recently advising that circa 20% of the business is now online.

6.4 The site delivers and secures through direct and indirect trade, with significant economic benefits to the local economy and businesses, including accommodation, contractors and suppliers. It is suggested that of the known businesses using the site, it is estimated that it supports 25 – 30 jobs with suppliers/contractors e.g hauliers.

6.5 The National Planning Policy Framework and Local Plan policies seek to secure sustainable development. This site, and its growth will clearly offer significant benefits when considering the economic and social roles of sustainability, and these benefits can be attributed significant weight in the decision making process.

6.6 However, it is also a requirement to consider, in line with the Core Strategy policies and NPPF whether this is a proposal that is appropriate in terms of its connectivity and scale and importantly, the impact that the intensification of the use, through the introduction of a second

sale day and additional items for sale, would have upon highway safety and the amenities of local residents.

- 6.7 The auction site currently operates on the basis of a monthly sale (the 2<sup>nd</sup> Friday of each month). In the intervening period the items are collected and delivered on weekdays. Hours of operation are controlled, by way of a condition, as being within 9am and 5pm. (Auction hours being 10am to 4pm). Items are auctioned in situ with the auctioneer moving from item to item. Bids are also taken electronically by phone and internet.
- 6.8 The comments of the objectors in respect of the breach of these conditions are noted, and this has been raised directly with the applicants. This application does not seek to alter the hours of operation or deliveries.
- 6.9 The site lies to the north of Madley Industrial Estate, with Allensmore Nurseries, and their newly constructed glasshouses opposite and the Madley Communications Centre and the Madley Environmental Study Centre to the north. Whilst there are no residential properties immediately adjacent to the site, there are residential properties (14) along Stoney Street as well as residential properties on local roads leading to the site. As detailed above, many of the objections received relate to the impact upon the amenities due to noise, vibration caused by larger loads and increased traffic movements and speed of traffic.
- 6.10 Policy MT1 of the Herefordshire Local Plan, Core Strategy requires that applicants demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.
- 6.11 The policy also requires that development promotes sustainable travel and that developments are designed and laid out to achieve safe entrance and exit and have appropriate operational and manoeuvring space.
- 6.12 Paragraph 32 of the NPPF, a material consideration in the determination of the application also state that development should only be prevented or refused on transport grounds where the residual impacts of development are severe.
- 6.13 The plant and machinery will not all be moved on auction day. This is likely to occur on the weekdays 10 days before and 10 days after the auction. These are pre-arranged and managed by the applicant. The increase in the number of sales means that deliveries and collections will effectively be ongoing throughout the month.
- 6.14 The current Transport Management Plan was submitted to the Local Planning Authority in 2011 and was subsequently agreed prior to the commencement of the auctions. An updated version of this was submitted with the application but in order to try and address the queries raised by the Transportation Manager, a technical note (April 2014) was prepared by the applicants agent that further expands on the proposed auction day operations and reasons behind this. This assessment is explored in more detail below.

#### Auction Day Operation

- 6.15 To assess the likely increases in traffic it is necessary to establish the base level manual traffic survey was carried out at the site access on Friday 6<sup>th</sup> July 2012 and an Automatic Traffic Count (ATC) survey was also carried out on Stoney Street to the south of the site access between 29<sup>th</sup> June 2012 and 6<sup>th</sup> July 2012. The table below shows how the traffic flow on Stoney Street is affected by the auction activities. Base flows are calculated using the results of



the ACT described above for an average five day period (Monday to Friday) and auction day flows are calculated using the ATC from Friday 6<sup>th</sup> July.

Table 2.1 – Base Traffic Flows on Stoney Street

	Base Weekday Average Two-Way Flow	Base Two-Way Flow (Auction Day)
<b>AM (8 – 9)</b>	133	138
<b>Auction Day Peak (10 – 11)</b>	46	151
<b>PM (17 – 18)</b>	123	128
<b>24hr</b>	1073	1563

- 6.16 The document advises that auctions currently operate on a tight programme, with no flexibility for any unforeseen circumstances or delays. Brightwells therefore wish to reduce the intensiveness of the auction day and anticipate that around 20 percent of the lots will be moved from the first auction day to the second auction day. As part of its business model, Brightwells are also seeking to sell bigger items instead of smaller sundry items, which is more economical to the business. The applicants estimate that there will also be an additional 10 percent of lots on the second auction day as a result of the changes through the business model and commercial vehicles being sold at the auction. The introduction of commercial vehicles will be bought by predominately multi buyers who already use the site.
- 6.17 The technical note concludes that as a result of the proposals, there will be a reduction in vehicle trips on the original auction day, with no significant increase in the number of trips on the second auction day and overall across the course of the month. Internet sales currently account for around 20 percent of sales, and it is anticipated that internet sales will continue to grow. This will reduce the need for travel to / from the site and in reality potentially off-setting any additional vehicle trips arising from the additional auction day and sale of commercial vehicles. It is anticipated that the net result over the two days is no significant growth in numbers but a better spread of attendance.
- 6.18 The technical note then goes onto to assess the traffic impact of the proposal on the local highway network in more detail, the two-way traffic flows on Stoney Street have been calculated for the anticipated operator forecasts, with 80 percent on one auction day and 30 percent on the second auction. The increase in traffic flows on Stoney Street is shown on Table 2.2 below.

Table 2.2 – Increase in traffic flows on Auction Days

Two Way Traffic Flow	Stoney Street Average Base Flow	Stoney Street Auction Day Base Flow	Vehicle Trips on Auction Days (Compared to Average Base Flow)			
			Base Scenario		Forecast Traffic	
			1st Auction Day	2nd Auction Day	1st Auction Day	2nd Auction Day
% of Base Flow	-	-	100%	0%	80%	30%
AM (8-9)	133	138	138 (+5)	133 (+0)	137 (+4)	135 (+2)
Auction Day Peak (10-11)	46	151	151 (+105)	46 (+0)	130 (+84)	78 (+32)
PM (17-18)	123	128	128 (+5)	123 (+0)	127 (+4)	125 (+2)
24hr	1073	1563	1563 (+490)	1073 (+0)	1465 (+392)	1220 (+147)

- 6.19 As shown on Table 2.1 based on the anticipated number of visitors over two auction days, the site is likely to be associated with approximately 84 additional two-way vehicle trips on the first auction day (compared to 105 additional auction trips presently) and an additional 32 two-way vehicle trips on the second auction day during the busiest peak hour, in comparison to the average number of existing vehicle movements. This equates to less than two two-way vehicle movements per minute on the first auction day and less than one two way vehicle movement per minute on the second auction day.
- 6.20 During the typical highway network peak hour, the anticipated number of visitors over two auction days is likely to be associated with approximately four additional two-way vehicle trips on the first auction day and an additional two two-way vehicle trips on the second auction day during the busiest peak hour, in comparison to the average number of existing vehicle movements during the busiest traditional peak hour.
- 6.21 On a daily basis, the anticipated number of visitors over two auction days is forecast to result in approximately 539 additional two-way trips. This is compared to 490 two-way trips on one auction day currently. The overall increase is 49 two-way trips over two days, compared to current operation.
- 6.22 The applicants conclude that the anticipated traffic associated with the auction is low and it will operate on an infrequent basis (i.e. no more than 24 days per year), it is considered that this will not have a significant impact on the operation or safety of the local highway network. They also conclude that there will be no material increase in traffic as a result of the additional auction day and commercial vehicle sales. The auction day traffic is managed by the Traffic Management Plan and this will be updated for the new proposals as detailed later in this report.
- 6.23 However, the concerns locally are not restricted to Auction day traffic movement and key concerns also relate to the delivery and pick up of auction items that takes place either side of the sale

## **Proposed Deliveries and Collections**

- 6.24 The report notes that typically 30 – 40 % of lots are not sold on the date and remain on site until they are sold. Additionally, all items that are delivered for auction or collected after being sold are also not driven off site for the following reasons:
- Not public road vehicles (plant & machinery);
  - Not taxed or insured (commercial/vehicles);
  - Implements/machinery (non motorised);
  - Purchased in multiple lots by buyers and shipped on loaders in multi loads; and
  - Deliveries and collections can only be made by arrangement with Brightwells.
- 6.25 The traffic management measures currently in place, by virtue of the Traffic Management Plan would be expanded for the new auction day and the delivery of vehicles, plant and machinery on the new auction day would adhere to the conditions attached to the original consent and would not take place outside the hours of 9am to 5pm Monday to Friday.
- 6.26 The existing Traffic Management Plan, dated June 2011, was prepared by WSP and was submitted to the local planning authority in order to discharge planning condition 14 of the original planning permission for the site (102843/F). This traffic management plan is operational and the key points are as follows:
- (i) 200 car parking spaces are provided on site with sufficient room for overspill if necessary;
  - (ii) sustainable transport options are detailed on the company website and on notice boards within the site and the Herefordshire Council 2 share car sharing scheme;
  - (iii) buyers are required to book a slot for collection and are given the option to be picked up from a nearby bus stop or railway station;
  - (iv) temporary signage routing is erected for auction days;
  - (v) a review process is in place to identify any issues associated with the signage strategy;
  - (vi) delivery and collection route plans are available to encourage the use of the preferred route;
  - (vii) online auctions are made available for all lots, reducing the need for travel; and
  - (viii) group deliveries are made available for multiple sites.
- 6.27 In addition to the measures above, a S106 contribution was made by Brightwells for improvements to Bridge Sollers Road and this matter is being pursued and monitored by the Planning Obligations Manager.
- 6.28 The application submission, whilst concluding that the impacts would not be significant or severe, has identified a number of additional traffic management measures that can be introduced should the site operate two days per month.

The additional matters would include:

- i) formal monitoring of delivery and collection of vehicles / goods, including a booking system for deliveries/collections. This will comprise of designated time slots for delivery / collection to be staggered throughout the day and will avoid the network peak hours of operation and at the end of the school day as far as possible;*
- (ii) offer of delivery service for clients using an agreed set of hauliers, in order to maintain full control of site access /egress and to help maximise the number of movements using multi-loads;*
- (iii) increased HGV parking on-site to aid management of collections and deliveries during operating hours and out of hours, to help stagger vehicle movements;*
- (iv) promotion on company website of on-site shower and rest facilities to facilitate overnight parking and longer stays by delivery/collection drivers;*

- (v) *increased provision of storage space, allowing increased flexibility of collection and delivery times. This will allow for a staggered discharge of purchased items which will reduce the intensity of vehicle trips exiting the site following an auction;*
- (vi) *employment of additional staff to help run the site and speak to buyers and sellers to organise their loads. This will also allow for more customer interaction, promotion of delivery services and management of deliveries and collections;*
- (vii) *a commitment towards the growth of the internet auction system for all lots, reducing the need for vehicle trips to the site. This will include an upgrading of the internet connection to allow for greater use of the facility; and*
- (viii) *apply the same auction hours on the second day as per the existing auction.*

6.29 These can be incorporated into a revised Traffic Management Plan, and a condition imposed as suggested below.

6.30 Significant discussion and consideration of the impacts of this development on the highways network have been had with the Council's Transportation Manager. Following these discussions and having reviewed the technical note, it was confirmed that the intensified use could be accommodated within the strategic and local highway network and that this impact could not be considered severe. However, the use should not be uncontrolled, and, as such, conditions should be imposed to ensure that the site operates in the way as described within the application submission. As such, it would comply with the requirements of policy MT1 of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

6.31 Following unsuccessful exploration and negotiations to try and permanently alter the location of the access that is used on sale days to allow segregation of the auction lots and car parking for visitors, it has been agreed that the access to be used will revert to the originally agreed position. This access was designed for purpose and affords significantly better visibility. The Transportation Manager raises no objection to this proposal subject to the maintenance of the visibility splays and the implementation of the traffic management plan. The traffic management plan will also need to address the internal configuration for sales days that the separate access had sought to negate.

*Impact upon the amenities of local residents*

6.32 Policy SD1 of the CS relates to the impact of development on amenity. The potential impact on the amenities of local residents relates in the main to traffic movements. Residents have had the experience of the sales already being held (one auction day per month) and note the impact in terms of vibration and noise from the larger vehicles. Given that the intention is not to significantly increase sale items, and having regards to the measures already in place in respect of the hours of working, deliveries and measures to further reduce the movements the impact of the increase in traffic could not be considered to be so significant as to warrant a reason for refusal in this instance. It is noted that Stoney Street does serve other industrial premises and rural / agricultural businesses including poultry units.

6.33 Conditions would, however, be required to ensure that the proposed use is undertaken on the basis of the information provided and that previously imposed conditions are re-imposed. A condition to ensure that amplified equipment is not used is also included.

***Conclusion and the planning balance***

6.34 Policy SS1 of the Herefordshire local Plan requires that, when considering proposals that Herefordshire Council take a positive approach that reflects the presumption in favour of sustainable development as contained within National Policy, approving proposals that improve the social, economic and environmental conditions in Herefordshire. Planning applications that

accord with the policies of the Core Strategy should be approved, unless material considerations indicate otherwise.

- 6.35 Policy E1 of the Core Strategy seeks to support economic growth, where appropriate. The application demonstrates the economic benefits associated with the growth of the business and these are acknowledged as a material consideration in the determination of the planning permission. However, as detailed above, the growth of the business must also be considered in respect of its impact upon the local highway network and amenities of the local residents. Following a lengthy period of discussion and consideration the Transportation Manager has confirmed that the additional traffic movements can be absorbed into the local and strategic road network without adversely affecting the safe and efficient flow of traffic. However, this is reliant upon the measures identified within the Transport Management Plan (updated) and the compliance with conditions suggested below that will offer mitigation.
- 6.36 Policy SD1 relates to environmental quality of the developments, and seeks to safeguard residential amenity. The potential for the increase in traffic movements over a more prolonged period has been the cause of significant amount of objection. However, it is officers opinion that the intensification of use would not be so significant as to warrant a reason for refusal on these grounds and that the proposed development would, with the imposition of the conditions suggested below, be compliant with policy SD1.
- 6.37 Having regard to the above, the applications are considered to comply with the policies of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions (these would be imposed on both decisions 131913 and 131916):**

- 1. B01 Development in accordance with the approved plans**
- 2. The premises shall be used for the auction (including administration of) of agricultural and land based plant and machinery and equipment and for no other purpose.**

**Reason:** The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy SD1 and MT1 of the Herefordshire Local Plan – Core Strategy.

- 3. The hours during which working may take place shall be restricted to 08.30am to 5.30pm Mondays to Fridays with the exception of office based uses. There shall be no such working on Saturdays, Sundays, Bank or Public Holidays**

**Reasons:** In the interests of the amenities of the locality and in the interests of highway safety in accordance with Policy SD1 of the Herefordshire local Plan - Core Strategy and guidance contained within the National Planning Policy Framework.

- 4. The modular buildings hereby permitted shall be removed within five years of the date of this permission and the land restored to its former condition on or before 30 March 2016 in accordance with a scheme of work submitted to and approved in writing by the local planning authority.**

**Reason:** The local planning authority, because of the temporary nature of the

building is only prepared to allow this building as a temporary measure, having regard to the rural character of the area and Policy SD1 and LD1 of the Herefordshire Local Plan – Core Strategy.

5. The delivery of plant and machinery, their loading and unloading, shall not take place outside of the hours of 9am and 5pm Monday to Friday nor at any time on Saturdays, Sundays or Bank Holidays.

Reason: In the interests of the amenities of the locality and in the interests of highway safety in accordance with Policy SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

6. G11 Landscaping scheme - implementation

7. The access shall be constructed and visibility splays (2.4m x 215m) provided and maintained in accordance with the details shown on drawing numbers WSP Drawing 0472/SK1 and 0472/SK02 Rev B.

Reason: In the interests of highway safety having regard to Policy MT1 of the the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

8. Prior to the first use of the site for the access to the north onto Stoney Street shall be closed and land reinstated in accordance with the details shown on drawing numbers WSP Drawing 0472/SK1 and 0472/SK02 Rev B. The access shall be used for emergency vehicles only and for no other purpose.

Reason: To ensure the safe and free flow of traffic using the adjoining County highway and to conform with the requirements of Policy MT1 of Policy MT1 of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

9. Prior to the commencement of the second monthly auction Day a detailed updated traffic management plan shall be submitted to the local planning authority for approval. This shall include, but not be limited to the information contained within the 'Technical Note' written by Transport Planning Associates dated April 2014.

The approved plan shall be fully implemented prior to the first month of two auction days being held at the site and shall be retained in perpetuity unless otherwise agreed in writing by the local planning authority. Prior to the commencement of the second auction day, the operation of the site shall be undertaken in accordance with the Traffic Management Plan dated June 2011.

A detailed record of the measures undertaken shall be retained as a written record and made available for inspection upon reasonable request.

Reason: In the interests of protecting local amenities and having regard to highway safety in accordance with policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

10. Auctions shall only take place on two days per calendar month (excluding Saturdays, Sundays and Bank Holidays). Auctions shall not take place outside of the hours of 10am and 4pm on these days.

**Reasons:** In the interests of protecting local amenities and having regard to highway safety in accordance with policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

11. **No external lighting shall be installed upon the site (including upon the external elevations of the building) without the prior written consent of the local planning authority. The approved external lighting shall be installed in accordance with the approved details and thereafter maintained in accordance with those details.**

**Reasons:** In the interests of protecting local amenities and landscape character having regard to in accordance with policies SD1 and LD1 of the the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

**INFORMATIVES:**

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **HN07 Section 278 Agreement**
3. **HN01 Mud on highway**
4. **HN05 Works within the highway**

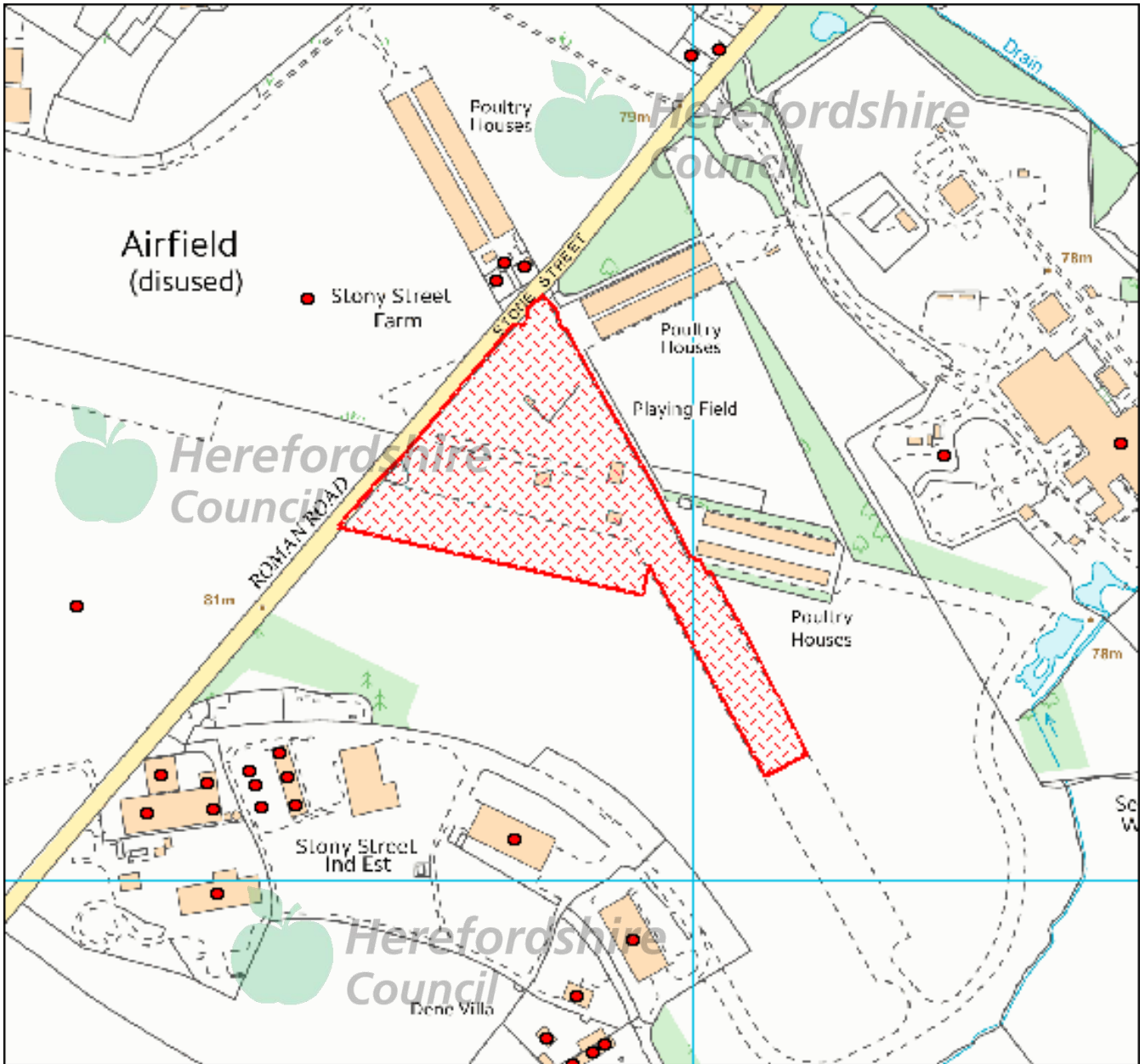
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** 131913

**SITE ADDRESS :** BRIGHTWELLS AUCTION AT THE FORMER MADLEY AIRFIELD, STONEY STREET, MADLEY, HEREFORDSHIRE, HR2 9NP

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Further information on the subject of this report is available from Ms Kelly Gibbons on 01432 261781