

**DCNC2004/2223/F - STATIONING OF TWO HEAVY  
GOODS VEHICLES ON EXISTING YARD AT BRINGSTY  
GARAGE, BRINGSTY, BROMYARD, WR5 5UJ****For: Mr J Williams per Mr J C Ashton, The Orchard  
Office, Union Place, Off Northwick Road, Worcester,  
WR3 7DX****Date Received:  
18th June 2004****Ward:  
Bringsty****Grid Ref:  
70369, 55215****Expiry Date:  
13th August 2004**

Local Member: Councillor T W Hunt

**1. Site Description and Proposal**

- 1.1 Bringsty Garage is located in open countryside designated as being of Great Landscape Value, and on the south side of the A44. Route 44 Cafe is to the rear of the garage and to the side is Spanish Ceramics. Appletree Cottage is adjacent.
- 1.2 This is a retrospective application for a HGV yard, 8metres x 28metres, which is on the east side of the garage and behind green painted, corrugated metal gates.

**2. Policies****2.1 Malvern Hills District Local Plan**

Landscape Policy 1 – Development outside settlement boundaries  
Landscape Policy 3 – Development in Areas of Great Landscape Value  
Transport Policy 11 – Traffic impact  
Transport Policy 16 – Lorry parks and HGV depots

**2.2 Hereford and Worcester County Structure Plan**

CTC2 - Development in Areas of Great Landscape Value

**2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

LA2 - Landscape Character and Areas Least Resilient to Change

PPG1 - General Policy and Principles

### 3. Planning History

NC2004/1284/U - Certificate of Lawful Use for the stationing of two HGV. Refused: 26th May, 2004.

### 4. Consultation Summary

#### Statutory Consultations

None required.

#### Internal Council Advice

4.1 Head of Engineering and Transportation: No objection

4.2 County Land Agent: The site is not on common land. However, access from the highway for long vehicles is poor and means holding up traffic.

### 5. Representations

5.1 Whitbourne Parish Council comment as follows:

"The Parish Council objects on the grounds of road safety. The lorries used are 40 feet articulated lorries. To park these lorries on the site, which is at the bottom of a blind bend, entails reversing across the A44. The vehicles are employed in a business - furniture removal - which is unconnected with the business of a garage and plays no part in supporting the local community. The vehicles also spoil an area of outstanding natural beauty."

5.2 Letters of objection have been received from:

Mr P Bridge, Woodside, Bringsty Common, Worcester  
J D Brooks, Brackentop, Bringsty, Worcester  
G I Buckley, Bringsty Post Office, Bringsty Common, Worcester

- (a) The garage is situated at the bottom of a dangerous hill which has been the scene of several major accidents over the years
- (b) A similar application has already been rejected under a different HDC procedure
- (c) An application for the site to become the operating centre of a haulage business has not been agreed by the Traffic Commissioners
- (d) Lorries turning into the site cause a hazard for other road users
- (e) There is a covenant on the garage preventing this type of activity

5.3 The applicant has said:

- (a) The use has existed over the last 4 years without apparent complaint
- (b) I have vehicular operators license
- (c) The lorries are required to transport goods relating to Spanish Ceramics

- (d) There are no near neighbours affected
- (e) There is ample space to manouvre without reversing onto the A44

5.4 The full text of these letters can be inspected at Planning Services, Blueschool House, Blueschool Street, Hereford, and prior to the Sub-Committee Meeting.

**6. Officers Appraisal**

6.1 This is a retrospective application for the parking of two HGV 's within an existing yard area that is on the east side of Bringsty Garage. The application has been submitted following the refusal of an application for a Certificate of Lawful Use, when the applicant was unable to provide evidence that the use of the site as a HGV yard had continued for a period of 10 or more years from the date of that application. The use of the yard has continued for about 4 years or so.

6.2 Transport Policy 16 deals specifically with applications for lorry parks and HGV depots, setting a criterion for consideration; provision of landscaping is made, the development would not have a detrimental effect on the landscape quality of the area and would not cause undue disturbance to neighbouring land users by traffic generation, parking, noise, smell and operating areas, safe access and the local road system has sufficient capacity to accommodate the vehicle generation.

6.3 This site is adjacent to the A44, which is a primary traffic route through Herefordshire and, in terms of its location to other communication links, is considered an acceptable site. The determining factors in this application are matters of highway safety and landscape impact. The Transportation Manager has raised no objection to the application and, in doing so, considers that the forecourt is of a size that allows vehicles to enter and leave the yard without causing disruption and nuisance to other users of the A44.

6.4 In terms of its effect on the locality is concerned, the site is well screened by existing vegetation on Bringsty Common. Given the commercial nature of the site it is not considered that the continued parking of these vehicles causes harm to the acknowledged visual qualities of the area.

**RECOMMENDATION:**

**That planning permission be granted, subject to the following condition:**

- 1. No more than two heavy goods vehicles shall be allowed to park in the yard area.**

**Reason: In order to define the permission and in the interests of highway safety.**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.