



Appeal Decision

Site visit made on 30 April 2024

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2024

Appeal Ref: APP/H0520/W/23/3325833

Greenewable Park, Station Lane, Offord Cluny, Cambridgeshire PE19 5ZA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Graham Faldo (Stocks Away Ltd) against the decision of Huntingdonshire District Council.
 - The application Ref is 22/02067/FUL.
 - The development proposed is the construction of a new warehouse.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a new warehouse at Greenewable Park, Station Lane, Offord Cluny, Cambridgeshire PE19 5ZA in accordance with the terms of the application, Ref 22/02067/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers JPT/SAL/0721/001, JPT/SAL/0721/003, JPT/SAL/0721/004, JPT/SAL/0721/005, JPT/SAL/0721/006 and JPT/SAL/0721/007.
 - 3) No development shall take place until a construction methodology has been submitted to and approved in writing by the local planning authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the local planning authority.
 - 4) Details of any external lighting shall be submitted to and approved in writing by the local planning authority prior to its installation and use. Development shall be carried out in accordance with the approved details.

Applications for costs

2. An application for costs was made by Mr Graham Faldo (Stocks Away Ltd) against Huntingdonshire District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. A new version of the National Planning Policy Framework (the Framework) was published on 19 December 2023 and therefore I have referred to that revised

document in my determination of this appeal. I am satisfied that the parts of the Framework most relevant to this appeal have not substantively changed from the previous iteration.

Main Issue

4. The main issue is the effect of the proposed development on highway safety, with particular reference to the movement of heavy goods vehicles (HGVs) to and from the site.

Reasons

5. The appeal site forms part of a larger employment site (Greenewable Park) where a number of commercial uses are found. These include existing warehousing formed from containers in a similar fashion to that of the appeal proposal, industrial units and a gym. These uses are serviced by vehicles of varying sizes, ranging from cars to HGVs, who share the access point onto Station Lane. Due to restrictions on vehicle widths that can pass along Station Lane when heading west, it is only possible for larger vehicles to leave the site and join the surrounding highway network heading in an easterly direction towards the B1043.
6. The matters of concern raised by the Highway Authority (HA) in this case relate specifically to the width of the access to the appeal site, the width of a section of Station Road between the railway level crossing and the B1043, and the radius of the junction of Station Lane with the B1043 which means that larger vehicles turning left are unable to do so without encroaching onto the other side of the carriageway. Their concern is primarily how larger vehicles might have to manoeuvre if they come into conflict with one another as they leave the site access and move down Station Lane, which could potentially include reversing on the highway or mounting the pavement.
7. It is evident that the appeal site has been used for commercial purposes for many years, with the first relevant planning history dating from 1955. The appellant has also provided an aerial photograph said to be from the 1990s showing a large building on Greenewable Park along with a complex of smaller buildings. A number of HGV trailers are visible on site when the photograph was taken. Subsequent to this time several recent permissions have been granted, resulting in the built form and the uses that are found at the site today which includes the existing container based warehousing.
8. Previous uses of Greenewable Park will have generated traffic movements, including those of HGVs. The photographic evidence suggests that at one time these may have been substantial in number. Whilst those operations have now ceased, the current uses on the site also generate the movement of vehicles, including HGVs. A Manual Classified Traffic Count (MCTC) undertaken by the appellant to support the appeal observed there to be 9 HGV arrivals and 7 HGV departures during a 12 hour period which represented 8% of movements to and from the site in that time.
9. The MCTC observed all vehicle movement to the Greenewable site, whose total floor area is stated as 6917m². The appeal proposal would add a further 3062m² of floorspace to the wider site. Based on its own assessment and consideration of what it considers to be the relevant TRICs data, the HA has suggested that the intensification of the use from the development proposed

would mean approximately an extra 78 HGV movements. The MCTC however provides a reasonable basis to conclude that this is a considerable overestimate and that the increase in the number of HGVs resulting from the proposal would not in fact be significant in number.

10. Nonetheless, there would be an increase in HGV movements arising from the proposed development. The Technical Note provided with the appeal sets out some mitigating factors including that an HGV can wait off the highway within the confines of the site access if another HGV is trying to enter the site. It also highlights that visibility along Station Road is good because the road is reasonably straight, meaning that HGVs heading towards the B1043 can see if another HGV is oncoming in the direction of the appeal site. These are factors that lessen the likelihood of conflict occurring between HGVs on the highway network.
11. Furthermore, no evidence has been provided of any existing highway safety issue arising from the previous or current uses that operate on Greenewable Park in terms of conflicts occurring at the site access or on Station Road. Nor is there any evidence that HGVs turning left onto the B1403 have caused a highway safety issue at any point in the past, notwithstanding the limitations of the junction's radius. Indeed, it does not appear that concern about HGV movements was identified at all when planning permission was granted for the similar container related operations in 2017. No accidents that would suggest a highway safety issue relating to HGVs have been recorded close to the site in the last ten-year period.
12. I acknowledge that the Parish Council has raised additional concerns relating to larger vehicles and the highway network to the west, and with respect to the potential backing up of vehicles across the level crossing behind vehicles turning into the appeal site. The restrictions in place to the west are clear that vehicles over two metres in width cannot proceed in that direction, and in turn such vehicles are therefore not able to arrive at the appeal site from that direction. It has been demonstrated through the appeal submissions that an HGV can wait on the appeal site whilst another vehicle turns onto it, and I have not been made aware of any occasions or concerns from the HA or Network Rail in terms of vehicles becoming stranded on the railway crossing.
13. Taking all of these considerations together, and in particular in the absence of any evidenced current highway safety issue and on the basis that the information I have before me suggests that there would not be likely to be a significant uplift in HGV movements arising from the proposed development, I find that there would not be harm to highway safety. The decision notice refers solely to Policy LP17 of the Huntingdonshire Local Plan 2021, but this policy refers to matters relating to parking provision and space for vehicle movements and thus appears more relevant to on-site layout considerations. Nonetheless, there is no conflict with this policy or in terms of the highway related considerations set out in paragraph 115 of the Framework.

Conditions

14. The Council has not suggested any conditions that should be imposed. However, it is necessary to impose conditions relating to the time period to commence development and the approved plans to provide certainty. Two conditions requested by Network Rail regarding a construction management plan and lighting are required to ensure that the safety of the adjacent railway

is not compromised by the development. I note that the Officer report refers to a possible drainage condition, however this is not needed as there would be no change to existing impermeable areas and no alterations to drainage.

15. The Parish Council makes reference to the existing signage on the appeal site which advises that HGVs cannot turn right. It would appear that this signage was secured as a condition of a previous planning permission. Having observed the existing signage at my site visit, along with the two large signs on the public highway itself which are visible to drivers from the appeal site access, I do not consider it necessary to seek to secure any further signage. Those signs on the public highway refer only to width restrictions and there is nothing before me to suggest that the highway restrictions that are in place also relate to the length of vehicle. The accuracy of road signs in that respect would, in any event, be a matter for the HA.

Conclusion

16. For the reasons given above, the appeal should be allowed.

Graham Wraight

INSPECTOR