

Report of the Interim Chief Executive

Appeal Decision

APPLICATION NUMBER:	23/00095/FUL
LOCATION:	Works Bailey Street Stapleford Nottinghamshire
PROPOSAL:	Change of use of land to open storage and siting of storage containers and skips (Class B8) including access point off West End Street and egress point on Bailey Street

APPEAL ALLOWED**PLANNING COMMITTEE DECISION TO REFUSE****RECOMMENDATION BY OFFICER – APPROVAL****REASON FOR REFUSAL**

The proposed development represents an inappropriate use within a residential area which will have a significant impact on the amenity of nearby residents, in particular from the comings and goings of large industrial vehicles which cause significant noise and disturbance and nuisance by blocking access to properties driveways. The size of the vehicles poses a significant highway safety risk which is detrimental to neighbouring properties and residents due to the width and location of the Bailey Street and West End Street. The development is therefore contrary to Policy 17 of the Part 2 Local Plan (2019), Policies 10 & 14 of the Aligned Core Strategy (2014) and Section 9 of the NPPF (2024).

LEVEL OF DECISION: WRITTEN REPRESENTATIONS

The inspector considered the main issues to consider were:

- The effects of the proposed development on safety of other highway users.

The proposed development is for the use of the site as open storage and siting of storage containers and skips. The site is classed as previously developed land within the urban area.

The Inspector noted the site is identified as an existing employment site in the Broxtowe Local Plan Part 2 (LP) whereby its redevelopment for employment purposes is supported. The assessment of the appeal gave significant weight to the identification in the development plan.

The Inspector noted the planning permission for temporary use of southern part of the site for storage and distribution uses has previously been granted by the Council (19/00779/FUL refers).

The Inspector noted that the Highway Authority has not raised any objection on highway safety or congestion grounds to the suitability of using West End Street and

Bailey Street as access and egress to the proposal. The available width of these roads, after taking into account on street parking that is primarily restricted to residents, and their junctions with Derby Road would be acceptable of accommodating the expected size of lorries.

The Inspector commented that BBC Environmental Health Officer did not raise any objection, subject to a suitable worded condition to restrict hours of access to the site.

The Inspector noted the concerns of local residents and carefully noted.

The Inspector allowed the appeal subject to the conditions.

Conclusion

For the reasons given above the appeal was allowed with the following conditions:

- 1 The development hereby permitted shall begin no later than 3 years from the date of the permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plan: PG/MF/2010/120/101 Rev B.
- 3 Within 30 days of the date of this planning permission there should be no more than 9 containers and 2 skips stationed on the site.
- 4 No more than 9 storage containers and 2 skips shall be stationed within the site and they shall not be stacked in any means or form. All the containers shall be stationed in the location shown on Drawing No PG/MF/2010/120/101 Rev B.
- 5 All deliveries and collections by commercial vehicles shall only be made to or from the site between 08:00 and 17:00 hours Monday to Friday, 08:00 and 13:00 hours on Saturday and at no time on Sunday, Bank Holidays and other public holidays.