

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3rd October 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1090/07/F – GILDEN MORDEN Retrospective Change of Use from Agricultural Buildings to Storage for Motor Vehicles for Mr Jackson

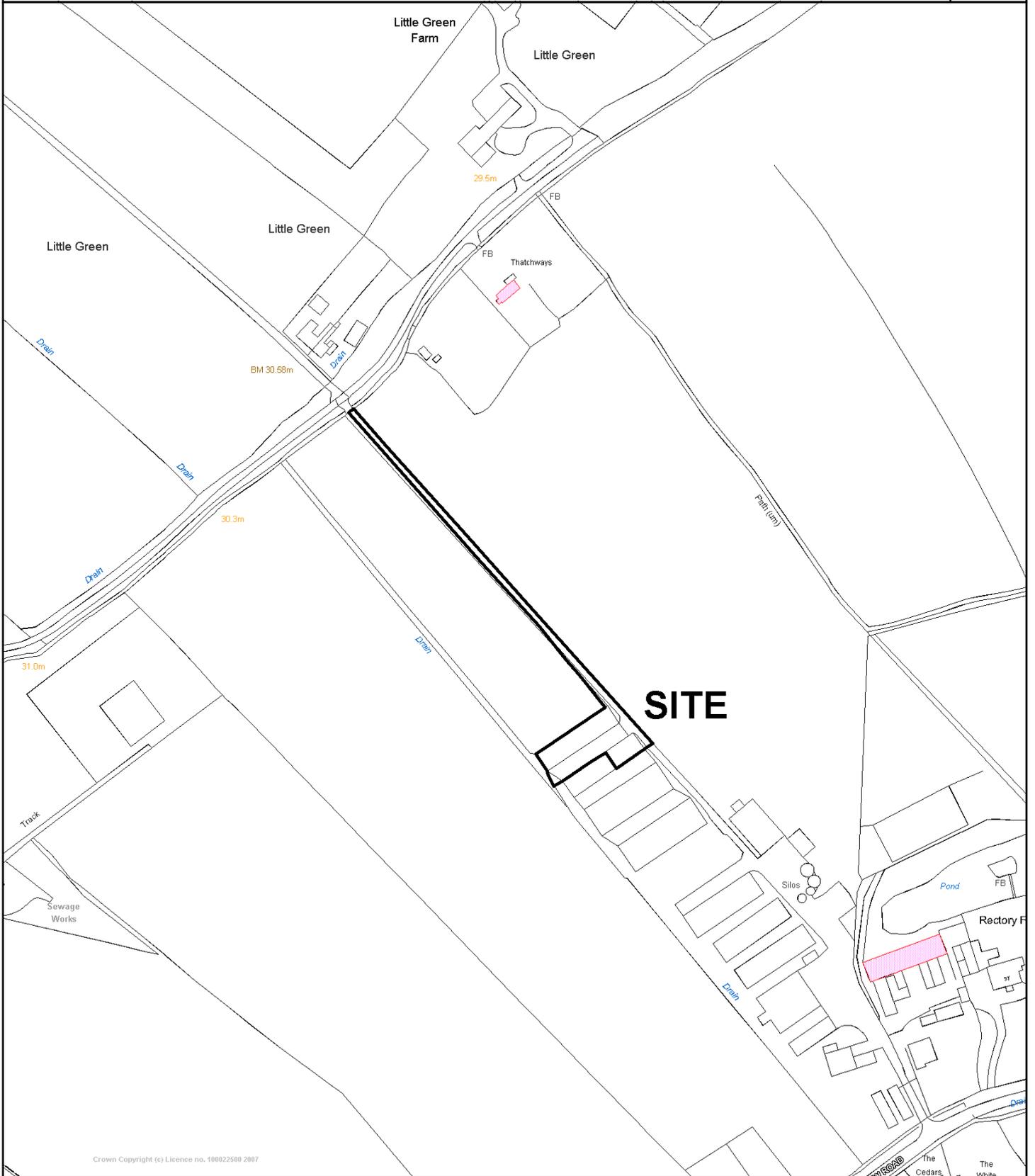
Recommendation: Approval for a limited period of 1 year

Date for Determination: 14th September 2007

This Application has been reported to the Planning Committee for determination because the officer recommendation of approval is contrary to the response of the Parish Council.

Site and Proposal

1. The application site outside of the village framework sited to the north east of the village. The site comprises 541m² and made up of two wooden frame former turkey sheds clad in corrugated metal walls and roof. There is an internal and external storage area within the application site and a small workshop space. The building is set amongst similar buildings with agricultural uses. Access to the site is via Little Green Lane, a small rural road off Potton Road heading north out of the village. Access is not possible from New Road due to a locked gated access that is not used by the applicant.
2. Approximately 200 metres to the north, north west of the site are several residential properties including Little Green Farm. To the south east of the site is Rectory Farm and associated buildings. The nearest residential property is Rectory Farmhouse, No. 37 New Road, which is approximately 196 metres south east of the application site.
3. The full planning application received 7th July 2007 seeks a retrospective change of use from agricultural buildings to storage of motor vehicles and workshop (approx 80sq.m) for the restoration of vehicles. The application does not seek any extensions or external changes to the existing buildings. All elevations are to remain unaltered. There is no one employed at the site, and only 1 person will be present at the site part time. The application indicates that the activity is a hobby in use in the evenings from 5pm to 9pm and at the weekends between 10am to 5pm.
4. The application was submitted with a copy of a letter from the owner of Rectory Farm, Garage stating that there are no problems with the change of use or the access at this site and beneficial as an added security measure for his business Morden Commercials due to the hours worked on site. Additionally a brief planning statement outlining the change of use is included. This states the following
 - (a) Building to be used as vehicle store for privately owned vehicles
 - (b) There is no water or electricity supply in the sheds
 - (c) Any waste is removed from the site by the applicant personally



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- (d) Access to the site is via Little Green Lane and the applicant is the only person with a key to the access gate.
- (e) Consultation with the occupiers of 1, 2 and Thatchway Cottage of Little Green Lane has been positive

Planning History

- 5. There is no planning history for this site

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

- 6. **Policy P1/2 'Environmental Restrictions on Development'** states that developments in the countryside will be restricted unless demonstrated to be essential in a particular rural location.

Local Development Framework (Adopted July 2007)

- 7. **DP/3 'Development Criteria'** states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity; village or countryside character.

Consultation

- 8. **Guilden Morden Parish Council** – Recommends that *'The application should be refused, access should be via New Road not Little Green Lane'*
- 9. The **Local Highways Authority** has made the following comments:

I have looked at the planning application for Rectory Farm, Guilden Morden. From the information provided it would be difficult for the Highway Authority to sustain an objection on highway safety grounds as the change of use from Turkey Sheds to storage of vintage cars and a hobby workshop should not generate any significant increase in the level of traffic using the existing access.

- 10. The **Environment Agency** has raised no objection in principle but has suggested several informatives to be attached to the consent if minded for approval regarding surface water run off and the storage of oil on site to prevent surface water contamination.
- 11. The **Chief Environmental Health Officer** has visited this site and raises no objection on the grounds of noise or environmental pollution. The Officer is aware of the hours proposed in the application.

Representations

- 12. The occupier of Rectory Farm House; 37 New Road objects on the following grounds
 - (a) Noise – the building is not for the storage of vehicles and is in fact a breakers scrap yard. The original complaints were due to the equipment noise at the weekends occurring after the hours of the Morden Commercial site closing for the night. Occupiers state they are subject to the continual industrial noise during the week and weekends
 - (b) The size of the development – this is not a hobby but in fact a business

- (c) The hours of use are unacceptable. The commercial properties already on site have to abide by set hours and the use of the site should be the same. If allowed we will be subjected to daytime and evening noise 7 days a week
 - (d) Unresolved issues regarding adjoining land under the same ownership as that of the application site.
13. One letter has been received from the occupiers of both 1 Little Green Cottages and 2 Little Green Cottages who state

“They have been approached by the applicant and as indicated have no problem with the level of activity that is currently evident at Rectory Farm. The degree of activity in the evenings and weekends is quite acceptable and Mr Jackson has proved to be considerate and thoughtful in terms of his comings and goings”

However, concern has been raised with reference to any potential increase in activity on the site, the generation of further traffic upon the lane itself, the residents and underground pipes serving the said properties. Should the use increase the occupiers of 1 and 2 Little Lane would have serious reservations in supporting the scheme.

Planning Comments – Key Issues

14. The key issues in determining this application are:
- (a) Highway safety
 - (b) Residential amenity
 - (c) Impact on the countryside

Highway Safety

15. In light of the comments by the Parish Council the views of the Local Highway Authority were sought. The opinion was that using the access at Little Green Lane is acceptable and not seen as having an adverse impact on highway safety. Should the use increase this would be reviewed However this application is being assessed individually on its merits. I am of the view that the use of the access for the present level of activity on this site is acceptable, given the restricted space on site and its operation by one person only.

Residential Amenity

16. The distance between the application site and the nearest residential property is approximately 196 metres, other properties are located marginally further away; around 212 metres and 230 metres from the application site. Noise does travel, however there have been no complaints from the majority of the residents. Rectory Farm is a few metres closer and subject to industrial type noise on a regular basis, as are the neighbouring properties to this site. The hours the workshop is in use are reflective of the applicants' spare time mostly in the evenings and at weekends. The normal working week for the applicant is actually spent elsewhere. Working late in the evening on this site would be no different to the applicant using his own garage to carry out his hobby. In light of the scale of this hobby the applicant has had to move to larger premises. The Environmental Health Officer has raised no objections to the use at its current scale. I am sympathetic to the concerns of the occupiers of Rectory Farmhouse in regard to noise impact outside normal working hours. Therefore I

consider that the hours of use of power operated machinery should be restricted and that the operation of the site in accordance with that condition should be monitored for a limited period of one year to assess its impact on nearby occupiers

Impact on Countryside

17. The buildings are not proposed to change externally and themselves screen the open yard from public view There is no external lighting and internal lighting is said to run off a generator. Open fields surround the site and any works going on in the workshop are unlikely to have an adverse impact on its immediate surroundings The impact on the countryside from the change of use is minimal.

Recommendation

18. Having balanced the comments of the occupiers of Rectory Farmhouse and of the Environmental Health officer the approval for a temporary period of one year to monitor the impact of the use upon nearby residents, having regard to recommended condition 2.

Recommended Conditions

1. **Temporary Consent for one year** (Reason – In order that the impact of the use of the site upon residents can be assessed during this period and any future application for the use to be retained on the site can be judged in light of that assessment.)
2. **No power operated machinery (or other specified machinery) shall be operated on the premises before 8 am on weekdays and 8 am on Saturdays nor after 7 pm on weekdays and 1 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.**
(Reason - To minimise noise disturbance to adjoining residents.)

Informative

Environment Agency informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 Environmental Restrictions on Development
 - **Local Development Framework (Adopted July 2007)**
DP/3 'Development Criteria'
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - Highway safety
 - Residential amenity

- Impact on the countryside

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework Development Control Policies (Adopted July 2007)
- Planning File Ref: S/1090/07/F

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