

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

14th January 2009

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

S/1568/08/F – OVER

**Siting of Container for Storage of Agricultural Equipment (Retrospective Application)
Paddock Rear of 6 Meadow Lane for Mr and Mrs Chapman**

Recommendation: Approve

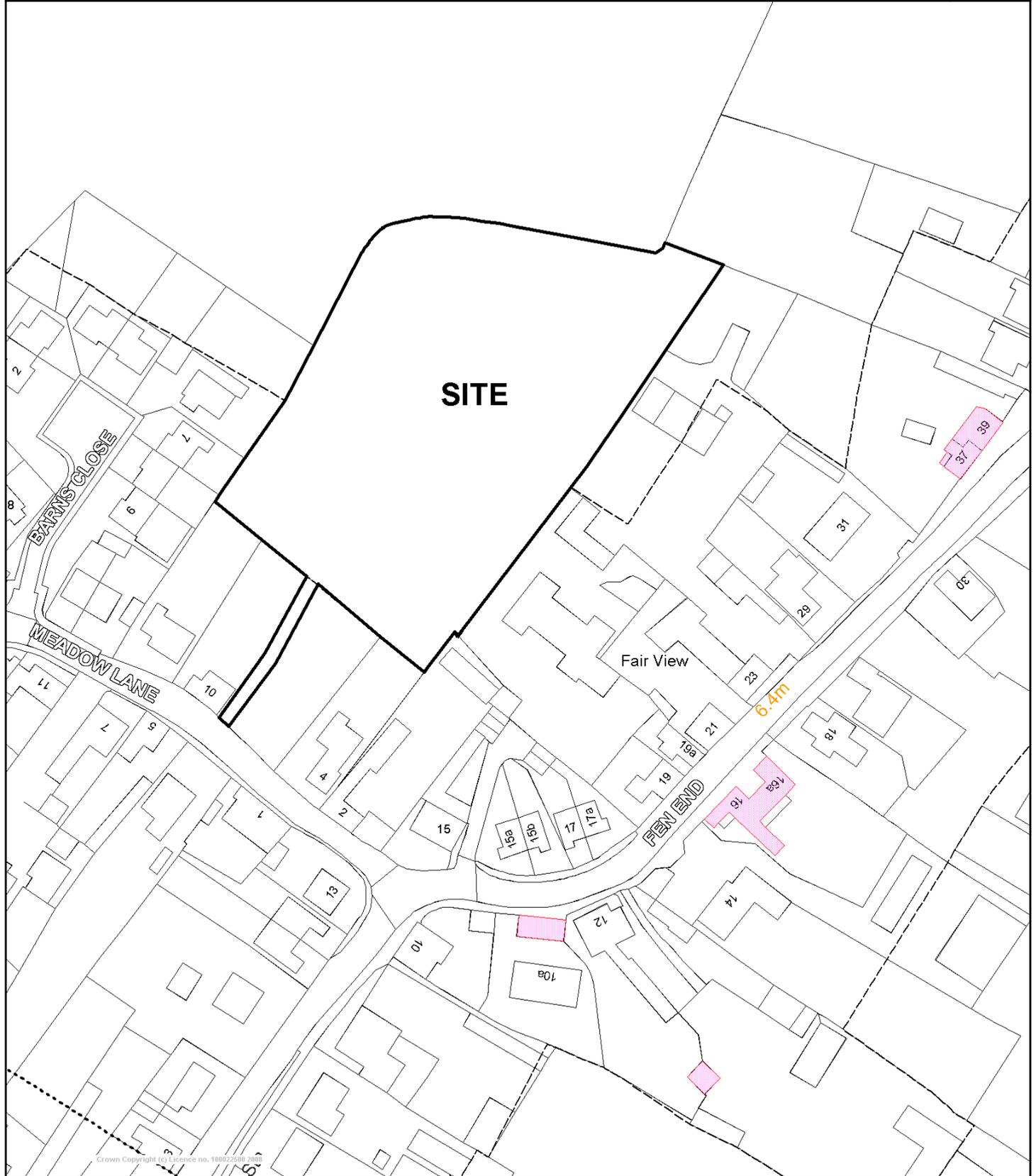
Date for Determination: 24th November 2008

Notes:

The application has been referred to Planning Committee by Chairman's Delegation Meeting on 1st December 2008.

Site and Proposal

1. Meadow Lane is a narrow residential street, without footpaths, comprising a mixture of 1, 1 ½ and 2 storey dwellings, located on the fringe of the village framework of Over.
2. The application site is a broadly rectangular parcel of open paddock/scrub grassland located to the north-east of the dwellings in Meadow Lane, adjacent to the rear boundaries of 2, 4, 6, 10 and 12 Meadow Lane, outside of the village framework. It is accessed via a gravel drive that runs between the dwellings at 6 and 10 Meadow Lane. The land is partially enclosed to the north-west by the dwellings in Barns Close and to the south-east by various dwellings in Fen End, including a number of new dwellings being erected on the former joinery site.
3. The boundaries to the site broadly consist of a mixture of landscape planting and fencing of varying heights around 1.8m to the dwellings in Meadow Lane, a 2m wall that forms the rear boundary of the dwellings in Barns Close and a 1.8m chain link fence to the dwellings in Fen End. The northern boundary of the site is broadly made up of a natural landscape belt, with a mixture of mature trees and hedging.
4. This full application, received on 29th September 2008 and amended on 28th November 2008, seeks retrospective consent for the siting of a container on a parcel of land approximately 7m from the rear boundary of the curtilage serving 10 Meadow lane, to provide storage for agricultural equipment. It is intended to store fencing materials and other relevant items to maintain this paddock and other land nearby in Swavesey. It is also to be a safe storage for feed and tack when the application's grand-daughter has a pony. The container is proposed to have its end facing towards the dwellings in Meadow Lane and measures approximately 6m long by 2.5m wide and would measure 2.9m in height, including its plinth. The applicants have proposed that the container be clad in feather edge timber. The amendment corrected inaccuracies on the plans and clarified the intention to clad the entire structure in timber.



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Scale 1/1250 Date 10/12/2008

Centre = 537828 E 270739 N

January 2009 Planning Committee

Planning History

The most relevant planning history for the site is as follows:

5. **S/0420/08/F** – retrospective application for the siting of a container for storage of agricultural equipment on the application site. The application was refused on two grounds. Firstly on the basis that the design, scale and form of the container neither preserved or enhanced the character of the local area as it had not been designed to fit into its context, and was therefore inappropriate development in the countryside. Secondly by virtue of the design, scale and location of the container, being approximately 4.3m from the rear boundary of 10 Meadow Lane, running parallel to it, would be unduly overbearing upon the amenities of those residents.
6. **S/0223/06/F** – application for the erection of a single dwelling on land adjoining 10 Meadow Lane. This application was approved, with the dwelling now erected and forming 6 Meadow Lane, alongside which the access is achieved for the paddock to its rear.

Planning Policy

7. Relevant policies are listed below. Please refer to Appendix 1 to this Committee agenda for further details.

Policy DP/2 of the South Cambridgeshire Local Development Framework (the ‘LDF’)

Policy DP/3 of the LDF

Policy DP/7 of the LDF

Consultation

8. **Over Parish Council** – recommends refusal and comments that “the container would be sited outside the building line and would have a negative impact on neighbouring properties.”
9. **Corporate Manager (Health and Environmental Services)** – raises concerns with regard to potential noise generation and suggests a number of planning conditions, in respect of the use of power operated machinery, flood lighting and hours for deliveries and collections to be attached to any consent.

Representations

10. At the time of preparing this report representations have been received from the neighbouring owner/occupiers in Meadow Lane at ‘Beausite House’, 10, and 12. The main comments/concerns raised by the neighbours are as follows:
 - (a) Application should be refused on the same grounds as the previous – inappropriate development in the countryside and unduly overbearing to the amenities of adjoining residents.
 - (b) Rotation has not served to overcome overbearing impact – more visible to residents of 2, 4 and 12 Meadow Lane, Fen End and Barnes Close.
 - (c) Screening inadequate. Do not consider mitigation effective solution.
 - (d) Paddock land higher than gardens of 10 and 12 Meadow Lane, raising container.
 - (e) Believe application to be misleading regarding status of adjoining landscape features and use of paddock in attempt to sway favour for application.

- (f) Query need for storage on site. Concern that container is part of intended change of use of land to agricultural yard – noise and disturbance, given proximity to neighbours or that storage is for occupants of 6 Meadow Lane, in which case it should be located with that dwelling's curtilage.
- (g) Inaccuracies in plans (these have been addressed by amendment).
- (h) Container has been located on site for some time – 18 months or more. Has taken a long time for applications to come forward.
- (i) Applicants did not consult local residents prior to siting.
- (j) Grant of consent would set a precedent for similar items to be located on the site.
- (k) Seek containers to be removed as soon as reasonably possible.

Planning Comments – Key Issues

11. The key issues to consider in the determination of this application are:

- (a) Impact upon Character and Appearance of the Countryside;
- (b) Impact upon Residential amenity;
- (c) Nature of intended use.

Impact upon Character and Appearance of the Countryside

12. The container is proposed to be sited on a relatively open area of land to the rear of the adjoining dwellings in Meadow Lane, Fend End and Barns Close, with little screening afforded naturally. Given the proposed location of the structure and the open nature of the parcel of land it is considered unlikely that any degree of planting could take place that would screen the structure from the various vantage points afforded to the site, without either altering the landscape of the area significantly, taking up a large proportion of the site or by being incongruous in its own right.
13. Notwithstanding this point, however, it is not unreasonable or uncommon for the applicants to require storage on the site for purposes related to the use of the land. To that end officers and members must be satisfied that any development on the site is appropriate to its location.
14. Since the time of the previous proposal the applicants have sought to revise the scheme so that the design of the proposed structure is in keeping with its intended location. To this end they are proposing to retain the existing container, but clad it on all sides with feather-edge timber boarding so that the metal container is hidden within the appearance of a timber shed. The applicants have argued that they wish to retain the container within the cladding as they consider it to be a more secure structure than a standard timber construction. One side of the structure has been clad to this effect currently, with further works awaiting the outcome of the planning application.
15. Although the resultant structure would be relatively large, I am of the view that subject to the timber cladding being completed, the proposal would result in a structure broadly in keeping with its location. Should members consider the scheme to be acceptable, conditions of consent can require any works, to make the appearance of the development acceptable, to be completed within a prescribed timescale.

Impact on Residential Amenity

16. Although visible from numerous dwellings, any physical impact arising from the siting of the structure will be felt by the dwellings at 6 and 10 Meadow Lane, given that these

are the two dwellings with a common boundary in close proximity to the proposed structure.

17. Whilst visible from various parts of the rear garden serving numbers 6 and 10, the structure, in its revised position, would not extend along the width of either curtilage, as was the case with the earlier scheme. Furthermore, the structure is proposed to be approximately 2.7m further from the rear boundary of no. 10's curtilage than the previous scheme.
18. By virtue of the revised siting and location of the container, it will not result in any loss of light to the adjoining garden and would no longer former a complete visual barrier, providing the previous sense of enclosure to the neighbouring garden. On this basis I am of the opinion that the second reason for refusing the application has been overcome.

Nature of Intended Use

19. The concerns raised by the occupants of adjoining residences are noted in respect of the intended use of the structure. However, the applicants have made no reference to and have not applied for a change of use of the land from its existing status as an agricultural field, and have stated that the container would be used for purposes incidental to that use. The Authority can only consider the merits of the proposal against that intended use. Should any subsequent change of use be sought, the impact of that proposal would be considered on its own merits. The grant of permission for the structure based upon an agricultural use of the land would not prejudice the consideration of any future proposals.
20. Noting the comments of the Chief Environmental Health Officer and given that the applicants are proposing the siting of an agricultural storage facility, affording the opportunity for activity within the structure, a condition regarding the use of power operated machinery appears reasonable. However, should the use of the site change to the point at which commercial activity was occurring on a regular basis, involving increased traffic generation, such activity would be likely to require formal planning consent. As such, conditions regarding movement of vehicles appear unnecessary and unreasonable in relation to the development proposed. Similarly any floodlighting would constitute development requiring planning permission. It would therefore also not be necessary to impose a condition of consent in this regard.

Recommendation

21. Approve (as amended by letter and plans date stamped 28th November 2008).

Recommended conditions of consent

1. The storage container, hereby permitted, shall be removed from the site unless within a period of 3 months from the date of this consent, the container, has been clad on all four elevations in feather-edge timber boarding
(Reason - To minimise the visual impact of the development in the countryside in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
2. No power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Rc - 38)

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning Files Ref: S/1568/08/F, S/0420/08/F and S/0223/06/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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