

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd February 2005
AUTHOR/S: Director of Development Services

S/2435/04/F - Melbourn
Siting of a Mobile Home and Six Storage Containers at
Land Adjacent Whitehouse Farm, Cambridge Road for
Mr R Bicheno

Recommendation: Refusal
Date for Determination: 26th January 2005

Site and Proposal

1. White House Farm lies on the corner of Cambridge Road and Fowlmere Road to the north and east of Melbourn village. It lies some 600m south of the village framework for Shepreth and 900m north of the village framework for Melbourn.
2. The mobile home and storage containers have been located within and adjacent to an orchard with an existing farm access used off Fowlmere Road.
3. The orchard is a planted strip that is approximately 40m x 130m and runs perpendicular to Cambridge Road. On its western end, adjacent to Cambridge Road, are mature well established trees.
4. The full retrospective planning application, received 1st December 2004, proposes to retain a mobile home and six storage containers. The mobile home has been stationed on the eastern end of the orchard strip, amongst the fruit trees. Four of the storage containers lie to the south of the strip and would appear to have been painted dark green (at least partially). The other two storage containers are red and blue and lie to the north of the orchard strip.

Planning History

5. In October 2001 planning permission was refused for an extension and garage to White House Farm.
6. In January 2002 planning permission was granted for an extension to White House Farm.
7. In July 2002 planning permission was granted for a replacement dwelling.

Planning Policy

8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure plan") states, in part, that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
9. **Policy SE8** of the South Cambridgeshire Local Plan 2004 (the Local Plan) states:

“There will be a general presumption in favour of residential development within village frameworks (as defined on the Inset Maps) where this is also in accordance with policies SE2, SE3, SE4 and SE5. Residential development outside these frameworks will not be permitted”.

Consultation

10. **Melbourn Parish Council** has recommended approval.
11. **The Environment Agency** has no objections subject to safeguarding measures.
12. **Chief Environmental Health Officer** concludes that there are no significant impacts from the Environmental Health standpoint.
13. **Housing and Environmental Services**
“I recall that Mr Bicheno's mother had died and the property was to be sold and divided amongst his relatives. However, it would seem that he would exceed our financial limits to be awarded a tenancy and would therefore be expected to participate in the councils shared ownership scheme.
14. I can not give any further information as to his application except to say it has remained unchanged and he has not notified us of a change in circumstances and certainly not that he has now moved to a mobile home. Until he notifies us of any changes his application will not be considered for any vacancies that may arise. If his application did come to the top of the housing register, the details would need to be verified but this is unlikely to happen in the foreseeable future as Melbourn is a very high demand area with few vacancies arising for single person accommodation”.
15. “In general terms...
an applicant must notify us of changes. We will not consider them for any vacancy if their details are not correct. If we are told of the changes we will re-point an application so it accurately reflects the housing circumstances. Any person may come to the office and seek homeless advice and assistance but under the homeless legislation it is doubtful that we would accept a duty to re-house a single able person who is financially able to support themselves. We could only give advice on how to secure accommodation in the private sector. The likelihood of us being able to house a single person in Melbourn is slim as we simply do not have the vacancies. An applicant would also need to be top of the waiting list for a suitable property.
16. In short, I doubt we would be able to re-house Mr Bicheno in the very near future and accept that it would be difficult and expensive for him to secure private rental accommodation in the area. I would be happy to visit him and reassess his application if he requested me to do so”.

Representations

17. 34 letters of support have been received, including from the occupiers of adjacent properties - Phillimore Gardens, Rosslyn, White House Farm, the adjacent landowner at Newfield Farm and the nearby Foxfield Farm, together with a 59 signatory petition supporting the planning application. In addition are 2 letters in support from Hewitsons solicitors and Cheffins estate agents and 1 letter from the applicant's doctor.

Orchard Surgery, Melbourn

18. The letter is from a doctor at the surgery confirming that the applicant suffers from long standing depression and anxiety and takes regular anti-depressants and suffers other associated ailments requiring regular medication.

Hewitsons Solicitors (acted for the family in the sale of the White House Farm)

19. "The main asset in Mrs Bicheno's estate was White House Farm, the other assets were minimal, just enough to cover debts and administrative expenses. The residue of the estate was given under the Will to Raymond, his brother and two sisters. There were no legacies.

20. It became apparent at a very early stage that we would have difficulty selling the property as Raymond was living in the property and had lived there for the whole of his life. It also became apparent that Raymond had no funds to purchase alternative accommodation".

21. Many efforts were made over 4 years to find alternative accommodation including writing to the Council on 15th November 2002 (reply confirmed that demand is high and it may be some time before housing would be available) but it was impossible.

22. "As all other options had drawn a blank Raymond's brother and sisters asked the executors to retain some land behind White House Farm that would allow Raymond to store his farming equipment and hopefully provide a permanent place for Raymond to live. The executors transferred the strip of land into the name of Raymond, his brother and sisters - and on the basis of the Raymond was able to move out of White House Farm so that the sale of the property could be completed.

23. We could not find any other way forward in the circumstances, particularly taking into account the following factors:

- White House Farm was in very poor condition and would have deteriorated further as the estate and Raymond had no funds to keep it in good repair or maintain it.
- Forcing Raymond out of the house without making arrangements for suitable alternative accommodation would have had an extremely adverse impact on his health, we believe he has suffered from stress related illnesses for several years"

Cheffins Estate Agents(acted for the Bicheno family for a number of years)

24. Confirm that the applicant actively sought alternative accommodation for four years.

The 34 letters of support make the following points:

25. The applicant lives for the countryside and is well known in the local farming community.

26. The applicant has lived on the site for all of his life, recently caring for his mother until she died in August 2000 following which he lived there alone until his home was sold by family agreement, beyond his control - he has not made himself homeless deliberately. He has no regular income and cannot work because of his poor health. He has approached the Council for a house and is on a waiting list but has been unsuccessful due to the acute shortage of affordable housing in this area.

27. The applicant is a kind, gentle and private man who should be given the opportunity of living out his life in a place he is familiar with in quiet and peaceful surroundings, independent and continuing his lifelong interest in farming and agricultural machinery.

28. The applicant needs to live on site for security reasons, to maintain the land and to look after his agricultural machinery. The current owner of White House Farm is happy for him to live there as it helps provide additional security for him.
29. The mobile home is not obtrusive and hardly visible.
30. "It seems very odd that a local man is undeserving of remaining on his own land, in his home village, when SCDC has allowed the site in Kneesworth Road in Meldreth to be developed extensively for the fair people to live in a community in an area where they have no previous connections"
31. "It is a great pity there is not more affordable housing in the village of Melbourn at present so that people born in the village and brought up in Melbourn can find somewhere affordable to live".
32. The applicant consulted with all of his neighbours before putting the mobile home on the land.
33. It would be short sighted of the Council to make the applicant homeless without being able to offer him accommodation. He is a local man and the village would not be the same without him.
34. Family members who have written have said that the split of the sale of the property was insufficient to allow the applicant the chance of purchasing another property. The mobile home is unobtrusive and in good condition, inside and out - the applicant keeps it in good order. Since acquiring the mobile he has become positive for the first time in a long time since suffering the loss of his parents, bad health and uncertainty about where he will live.

Further representations from the applicant

35. "...My sole objective in making this application is to establish a home for my lifetime close to the family home where I lived with and cared for my parents.
36. I seek no financial gain from this application nor further future development. The mobile home will be solely for my use and only during the course of my lifetime. Upon my death the site would revert to its former use.
37. Hence the application I make is for a planning licence with a limited time scale i.e. my lifetime only.
38. Having my home at White House Farm is essential to my future well-being. This is the environment in which I have lived all my life and it provides the peace and seclusion that I seek. Further the site offers me the opportunity to store and retain my substantial collection of vintage farm equipment..."

Planning Comments - Key Issues

39. The key issues are the impact of the development on its surroundings, amenity of neighbours, settlement patterns and the personal circumstances of the applicant.

Impact on surroundings

40. The site is visible from Cambridge Road but the mobile home and storage containers are set well back from it. The mobile home is only partially visible from Cambridge

Road as it is set within the fruit trees. The storage containers have been partially painted dark green and are seen with the backdrop of the trees. There is a good hedge along Cambridge Road which helps to reduce the impact of the mobile home and containers.

41. The mobile home is more visible from Fowlmere Road but again the existing trees help to screen it to some degree. The two storage containers to the north of the orchard strip would be less obvious if painted a suitable dark colour.
42. On this issue I conclude that the mobile home and storage containers are visually detrimental to the visual quality of the surroundings but that they have been positioned so as to minimise their impact.

Amenity of neighbours

43. The mobile home and storage containers are sufficiently distant from residential properties so that there is no material impact on amenity.

Settlement pattern

44. The positioning of a residential mobile home in this position, well outside of any defined settlement framework, is contrary to the aims of the settlement policies. In particular it represents incremental growth in an unsustainable location.

Personal circumstances

45. The applicant is unwell, has not deliberately made himself homeless, has made unsuccessful efforts to seek Council housing, considers that his money would only fund rental accommodation for a relatively short period and feels that this is his only solution. There is considerable and strong support locally and evidence of his medical conditions has been submitted. He has clearly lived at White House Farm for all of his life and his needs, I believe, are genuine. It would appear that the income he earned from his share of the sale of the property was insufficient to enable him to find market housing but in excess of financial limits to be awarded a Council tenancy.
46. In my opinion however these facts do not outweigh the policy objection even if a personal planning condition were to be imposed to ensure the occupation is by Mr Bicheno only and the mobile home and containers would be removed from the site in due course.
47. Attached as Appendix 1 is a statement made on behalf of the applicant from his brother.

Conclusion

48. I have sympathy with the applicant but I have to recommend that Members refuse the application due to the impact of the development on its surroundings and the strong policy objection to development outside of village frameworks.

Recommendation

49. Refusal for the following reasons:
 1. The site lies in the open countryside well outside of any development framework boundary defined in the Development Plan. The mobile home and storage containers intrude into the countryside and are detrimental to the visual quality of the surroundings. As such the proposal is contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy SE8 of the South Cambridgeshire Local Plan 2004.

2. The site lies in an unsustainable location for residential development. Insufficient justification has been given to demonstrate that this development is essential in this particular rural location. As such the proposal is contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy SE8 of the South Cambridgeshire Local Plan 2004.

50. Authorisation for enforcement action. Considering the personal circumstances in this case a 12 month compliance period would seem appropriate to provide the applicant a reasonable and appropriate period to find alternative accommodation.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning application files reference S/2435/04/F, S/2262/01/F, S/2261/01/F and S/1618/01/F

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