

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 November 2012

AUTHOR/S: Planning and New Communities Director

S/2020/12/FL - WILLINGHAM

Siting of a Portakabin for Educational Purposes (Class D1) at 37a (Cadwin Nurseries), Rampton Road, Willingham for Dr Sudesh Sangray

Recommendation: Approval

Date for Determination: 20 November 2012

This application has been reported to the planning Committee for determination as the Willingham Parish Council's recommendation differs from the officer recommendation.

To be presented to the Committee by Tony Boswell

Site and Proposal

1. The site is located outside the development framework for Willingham. It comprises some 3.5 hectares (9 acres) of a former retail horticultural nursery which apparently ceased trading around ten years ago. The site as a whole is largely derelict. The current applicant's house nevertheless remains from that former use, along with a former parking area and now unused cultivated areas. The former disused nursery also includes a large asbestos clad "packing shed" type building. The western edge of the site is largely abutting long established homes and gardens, although the applicant's home and former parking area are well behind that frontage development. Access is provided by a narrow hedged driveway between numbers 39 and "Silvella" on Rampton Road, Willingham. Land to the east and south of the existing home are otherwise largely open countryside.
2. As a lecturer, the applicant is in the habit of hosting Biology and similar students at his home for the purposes of field work study. At present, those students generally stay to use his kitchen table for the purposes of completing notes and other work while at the site. The applicant evidently has two young (but growing) daughters and is no longer content to have such relative strangers present within his home for extensive periods.
3. The application seeks planning permission for stationing of a generic "portakabin" within the central part of the site to the rear of the home and adjacent to (or probably on) the former car parking area that used to serve the now abandoned horticultural use.

Planning History

4. The site has no relevant planning history.

Planning Policy

5. **South Cambridgeshire Local Development Framework Development Control Policies 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
ET/1 (1c) Limitations on the Occupancy of New Premises in South Cambridgeshire
6. DCLG Circular 11/95 "The use of Conditions in Planning Permissions" advises in general terms that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Paragraphs 108 to 113 of that Circular gives specific advice on the use of temporary or time limited planning permissions.

Consultations

7. **Willingham Parish Council** recommends refusal with the following comment:

"Willingham Parish Council recommend refusal as the Parish Council understand that as there is no agricultural activity on the site at present this would mean there are currently vacant buildings which could be used. The Parish Council also have concerns regarding the number of parking spaces requested and their use. The Parish Council would request greater clarity on both this application and the future use of the site".

The Case Officer has duly provided the Parish Council with full details but their recommendation remains unchanged. The applicant evidently has no current intentions to return the land to its former horticultural use.

Representations by members of the public

8. Nine adjacent properties on Rampton Road notified by post. At the time of drafting this report one letter received drawing attention to an apparent error concerning boundaries - which has since been resolved. However, confirms that the writer - *"has no objection (the proposed portakabin being way out of sight)"*.

Material Planning Considerations

9. The main issues in this case are:
 - Principle of Development
 - Impact on the street scene and character of the area
 - Impact on neighbour amenity

Principle of Development

10. The site is located inside the development framework of Willingham. It is also surrounded by residential development on all sides other than to the southeast

which is open to the wider countryside. At present the site is derelict and unused, but clearly retains a potential for a return to agricultural or horticultural use - any ancillary retail use having been formally abandoned some years ago. The proposed portakabin and its use within Use Class D1 would not hamper such a return to active agricultural or horticultural use in future. (Use Class D1 includes - "Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non-residential education and training centres"). The size and location of the proposed portakabin does not suggest that any other form of use within Use Class D1 is likely to occur.

11. Given that the proposed educational use relates specifically to the land in question in its current derelict state, a temporary permission for a period of say five years would meet the applicant's evident needs and would enable the investment required. In discussion the applicant has indicated his willingness to accept and act upon such a temporary permission.

Impact on the character of the area/Street Scene

12. The proposed portakabin would have no visual or neighbourly implications, being well to the rear of adjacent properties, and set between the retained bungalow and the retained "packing shed".

Impact on Neighbour Amenity

13. The portakabin would accommodate a use which already takes place and no net additional traffic movements are to be expected as a result. Any demands for car parking are easily met within the former and now disused parking area on-site.

Conclusion

14. The impacts of this proposal are minor in the extreme, in the absence of neighbourly concerns or any apparent visual impact. The fact that other accommodation might be available within the retained "packing shed" building is irrelevant, given the lack of identified or suitable rooms. A temporary permission is recommended as that would both meet the applicant's needs and would safeguard the future of the land concerned.

Recommendation:

15. It is recommended that the Planning Committee approve the application subject to the following conditions.
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon)
 2. The development hereby permitted shall be carried out in accordance with the following approved plan - Annotated Land Registry Title Plan (No CB316824)

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. The portakabin building hereby permitted shall be removed and the use hereby permitted shall be discontinued and the land restored to its former condition on or before the 1st November 2017.
(Reason - To ensure the authorised long-term use of the site is not prejudiced by the retention of the development when it is no longer required.)

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

- Local Development Framework Core Strategy and Development Control Policies DPDs.
- National Planning Policy Framework.
- Planning file reference S/2020/12/FL.

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