

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 November 2012

AUTHOR/S: Planning and New Communities Director

S/1937/12/VC – BOXWORTH

To remove condition 1 of S/0459/12/FL at land near Highbarn Cottages, Highbarns, Battlegate Road for Mr and Mrs C Long

Recommendation: Approve

Date for Determination: 6 November 2012

Notes:

This Application has been reported to the Planning Committee for determination because as the Parish Council's recommendation of refusal conflicts with Officers' recommendation

To be presented to the Committee by Andrew Phillips

Site and Proposal

1. The site is located outside of the village framework and measures approximately 0.44 hectares. The site is within the Bedfordshire and Cambridgeshire Claylands. Open fields are located to the north, west and south of the site. To the east are a line of residential properties. The site is accessed from a track that runs along its northern boundary.
2. The site is used for the keeping of horses and the shipping container is used for storage space connected to the paddock.
3. The proposal is seeking to remove condition 1 of planning application S/0459/12/FL by way of building a shell around the shipping container in order to make it more of a similar appearance to the existing stables.

Planning History

4. S/0459/12/FL - Change of use from agriculture to paddock land, erection of stable complex and shipping container with paddock fencing (retrospective) was conditionally approved. The shipping container was conditioned (condition 1) to be removed within 6 months due to its unacceptable appearance. This was to allow the developer time to submit an alternative storage space that would be acceptable to the Council.

Planning Policy

5. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007**

DP/1 - Sustainable Development

DP/2 - Design of New Development

DP/3 - Development Criteria

DP/7 – Development Frameworks
NE/4 – Landscape Character Area
NE/8 – Groundwater
NE/9 – Water and Drainage Infrastructure
NE/10 – Foul Drainage –Alternative Drainage Systems

District Design Guide SPD (adopted March 2010)

Consultation by South Cambridgeshire District Council as Local Planning Authority

6. **Boxworth Parish Council** – The Parish Council recommends refusal. It states that members felt there was no justification; therefore the original condition should be upheld. No case for secure storage beyond what is already available in the stable block was present with the application.
7. One member felt that the container would look a lot better clad as proposed but also felt that relocation to the west end of the stable block would be a better solution to the issue of visual impact. Another member suggested relocation to the southern boundary of the pasture.
8. **Environment Agency** – Following additional information regarding protection of water sources from pollution sent by the developer on the 11th October 2012 the Environment Agency confirmed that the details are acceptable.

Representations by members of the public

9. **1 High Barns** – The new application does not contain sufficient information on the reasons for keeping the container. There are already 2 stables and a tack room to contain two small ponies and their associated feed and bedding. The horses are not kept on straw but on shavings which are delivered in small packages which easily fit into the feed store. The occupant cannot see why the container needs to be retained as it is overbearing and makes the development a 1/3 larger than necessary. There is already a build up of garden furniture and other associated items, this is coupled with badly overgrazed paddock making the area look very untidy.
10. **4 High Barns** – An occupant objects on the grounds that the container would be overbearing next to the already overbearing stable block. The stable block has three separate stalls for only two horses so a decent lock on the vacant stall will give security. South Cambridgeshire Council have already refused planning permission for the container and the latest application heard by the parish Council has upheld South Cambs decision for the removal of the container. I feel that no further storage facilities should be permitted as the stable block is big enough for the purpose. I am also concerned that the storage area is becoming a dumping ground for the applicants business and unwanted items (photographic evidence provided), which should be disposed of in the proper manner.
11. Another occupant states that they strongly object to the proposal. The occupant continues to state that the earlier application controlled the removal of the container by November 2012. It is also stated that the applicants have not listened or took into consideration the majority of residents along this road. Their objects are that it would be an eyesore, the site is already of a substantial size, the erection of a shed around the container will make the eyesore bigger, the application is a way of getting around the decision South Cambs have already made to remove the container by November 2012,

the shed could be erected on the applicants driveway and the use of the building as a garden shed.

12. **Cllr Waters** – The Councillor gives their full support to the application. The surrounding of the shipping container with a wooden build and tiled roof so that it is in keeping and likeness to the stable block will ensure secure storage and complement the stable block.

Material Planning Considerations

13. The key issues to consider in this instance are:
- Principle of Development
 - Visual Impact
 - Residential Amenity
 - Water Pollution

Principle of Development

14. Development in connection with stable and paddock land is considered to be an appropriate use outside of the village framework. The proposed development, therefore, complies with Policy DP/7.
15. Planning application S/0459/12/FL sought the removal of the shipping container due to its inappropriate form within this rural setting by way of a condition. The timeframe of 6 months was to allow the developer to seek alternative storage space for the paddocks that would be acceptable to the Local Planning Authority.

Visual Impact

16. The site is within the Bedfordshire and Cambridgeshire Claylands. The area is described in the District Design Guide SPD (adopted March 2010) that states one of the key characteristics of this area is that “woodlands, copses, paddocks and occasionally, parklands contribute to the distinctive landscape setting of the villages.” The creation of a paddock is, therefore, not an alien feature to be found in this locality.
17. The proposal is seeking to erect a wooden shell and a pitched roof around the shipping container in order to give it a similar appearance to the adjacent approved stable building. The stable block is considered to be of an appropriate design for this location.
18. It is considered that the new storage building will be visually in keeping with the adjacent stable block. The proposal is single storey and will have a minimal impact upon the wider rural setting of this locality. A condition will be added to make sure that the proposed development within this application is maintained for the length of time that the container is in situ.

Residential Amenity

19. The proposal by virtue of being a small single storey building and located approximately 75 metres away from the nearest resident is considered to have no impact on residential amenity.

Water Pollution

20. The comments of Environment Agency are noted and accepted. A condition will be added to ensure that the agreed details are complied with.

Other Matters

21. The use of the shipping container is of concern to the Parish Council and local residents. The case officer has already verbally warned the applicants that the container can only be used for the storage of materials/equipment used in connection with the keeping of horses. The Planning Enforcement Team has been made aware of the concerns of the nearby residents in order to monitor the situation. While this is partially a separate matter, a condition will be added in order to provide clarity for the use of this building.
22. With no clear visual harm identified the amount of storage space required is not considered to be material to the determination of this application.

Conclusion

23. The proposal is considered to be acceptable, subject to appropriate conditions to ensure that the shipping container remains hidden and that the development does not lead to pollution of the water environment.

Recommendation

24. It is recommended that the Planning Committee should approve the application with the following conditions:
 1. The shipping container shall be removed and the land restored to its former state unless the development hereby permitted shall be completed before the expiration of 28 days from the date of this permission.
(Reason – Condition 1 of planning permission S/0459/12/FL requires the removal of the shipping container by 8th November 2012. If the container is to remain it needs to be visually enhanced in accordance with the approved details and without undue delay to satisfy the requirement of Policy DP/2.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: C.H.D./450/1 –A/B, C.H.D./450/2 – A/B and C.H.D/450/15.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. If the development approved under this application is removed then the shipping container shall be removed within 28 days and the land restored to its former state.
(Reason – The shipping container is an inappropriate form within this rural setting as defined with Policy DP/2 of the Local Development Framework.)
 4. The removal of natural waste shall be in accordance with the letters dated the 11th October 2012 and 28th April 2012, unless otherwise agreed in writing with the Local Planning Authority.
(Reason – To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.)

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

- **Local Development Framework Development Control Policies DPD and District Design Guide SPD (adopted March 2010)**

Case Officer: Andrew Phillips – Planning Officer
Telephone: (01954) 713169