DELEGATED REPORT

Recommendation Made: 12 July 2011

Reference:- 11/00470/COU **Parish:- Markfield Parish Council**

Applicant:- Mr Philip Botterill
Retreat Farm Kennels
Grassy Lane
Markfield
Leicestershire

Location:- Retreat Farm Kennels Grassy Lane Markfield Leicestershire LE67 9TB

Proposal:- CHANGE OF USE OF LAND TO CARAVAN STORAGE

Introduction:-

This application seeks full planning permission for the change of use of land to provide storage for 60 no. caravans.

The land is currently used for the storage of a horse box and a range of uses including residential, equestrian and commercial in the from of dog kennels currently operate from the site.

Access is proposed via an existing gated entrance via Grassy Lane.

The site is located outside the settlement boundary of Markfield, as defined by the adopted Hinckley and Bosworth Local Plan.

Following concerns raised by officers amended plans have been received showing the area of the site which is to be laid with hard standing and a plan depicting the current gated access.

The application is not accompanied by any technical or supporting documentation.

Planning History

06/00972/COU	Change of use including relocation of existing stables, erection of two loose boxes and implement store and creation of menage.	Approved	31/10/06
05/01187/OUT	Erection of a single dwelling	Returned	12/05/06
92/00205/4	Erection of boarding kennels and new vehicular access	Approved	11/05/92
84/00046/4	Erection of carport	Approved	21/02/84
80/01098/4	Internal alterations new windows and chimney construction	Approved	12/08/80
80/01155/4	Two loose boxes for horse stabling The retreat farm	Approved	02/09/80
77/01657/4	Retention of caravan	Refused	24/01/78
76/01867/4M	Erection of double garage	Approved	03/02/77
76/01901/4	Temporary standing of two	Approved	22/02/77

	caravans		
76/01446/4M	Alterations and improvements to Dwelling	Approved	05/11/76

Consultations:-

No objections from:-

Head of Community Services (Pollution)
Head of Community Services (Land Drainage)
Objection from:-

Director of Environment and Transport (Highways)

County Councillor Sprason states that the highway access us unsuitable and dangerous

Three letters of objection have been received raising the following concerns:-

a) Proximity to sharp bend; wont be able to turn left
b) On busy road, due to local school
c) Dwelling is domestic and not a commercial yard/building
d) Caravans would be clearly visible especially when hedgerow thing in winter months
e) A new vehicular access was created without consent
f) Entrance is in a very bad position; very dangerous

Development Plan Policies:-

Central Government Guidance

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development.

Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas.

Dear Chief Planning Officer Letter: Planning for Growth.

Local Development Framework: Core Strategy (2009)

Policy 21: National Forest

Hinckley & Bosworth Local Plan (2001)

The site is outside the settlement boundary of Markfield as defined in the adopted Hinckley and Bosworth Local Plan.

Policy NE5: Development in the Countryside

Policy BE1: Design and Siting of Development

Policy T5: Highway Design and Vehicle Parking Standards

Policy NE21: The Principles of Development within the National Forest

Appraisal:-

The main considerations with regards to this application are the principle of development and impact upon the countryside, highway considerations and impact upon residential amenity.

Principle of Development and Impact Upon the Countryside

The proposed development is situated on land outside of the settlement boundary of for Markfield, as defined in the adopted Hinckley and Bosworth Local Plan.

PPS1 states planning authorities should promote sustainable patterns of rural development, whilst PPS7 advises development outside existing settlements should be strictly controlled in order to protect the countryside for its own sake.

Saved Local Plan Policy NE5 states that the countryside will be protected for its own sake and planning permission will be granted for built and other forms of development provided that the development is either:-

a) important to the local economy and cannot be provided with or adjacent to an existing settlement; or
b) for the change of use, re-use or extension of existing buildings, particularly those of historic value; or
c) for sport and recreation purposes.

It is accepted that some forms of development can be appropriate in a countryside location and help to sustain a healthy rural economy. For example, development that can be shown to be for the operational requirements of agriculture, horticulture, forestry, recreation, public utilities or tourism.

It is not considered that the use of the land for storage of caravans would fall within a sport or recreation use or shown for the operational requirements of agriculture, horticulture, forestry, recreation, public utilities or tourism. In addition, no evidence has been provided to suggest that the development is important for the local economy and therefore the development would not fall within any of the criteria.

Notwithstanding the proposal's conflict with development plan policy, the nature and scale of the use is such that it would detract from the green and undeveloped character of the countryside.

The post budget Ministerial Statement: Planning for Growth confirms that "when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development". This proposal is such that it may be argued that it is a form of economic development however it is the opinion of the local planning authority that this position has not be confirmed or demonstrated in the application and will not outweigh the harm to the character of countryside and the provisions of PPS7 and the development plan.

In summary, the applicant is proposing to change the use of land for the storage of caravans, which fails to meet the criteria for development in Policy NE5. As such the development constitute an unacceptable form of development without justification in an un-sustainable location, contrary to Saved Local Plan Policy NE5 and overarching intentions of PPS5.

Highway Considerations

The scheme has been considered by the Director of Environment and Transport (Highways) whom recommends refusal on the grounds that the proposal could result in an unacceptable increase in traffic using Grassy Lane and an access which lacks appropriate visibility for the speed of traffic on the main road which would lead to increase dangers for road users.

In summary, it is therefore considered that the creation of the access would lead to an increase in dangers for road users. As such the scheme would be contrary Saved Policy T5 of the Local Plan.

Impact upon Residential Amenity

The residential dwelling most immediately impacted upon as a result of the development would be Lilybank located to the east of the site. It is considered that there is sufficient mature vegetation along the eastern boundary to screen the development from the neighbouring dwelling, ensuring that there are no significant material impacts. Concerns have been raised in respect of the thinning of the hedge in the winter, and it is considered that a right to a view is not a material planning consideration and that the storage would not result in any significant overlooking, overshadowing or overbearing impacts.

In summary, the proposal is considered to have minimal impacts upon amenity of neighbouring residents. As

such the scheme is considered to be in accordance with Saved Policy BE1 of the Local Plan.

Conclusion

In conclusion, it is considered that the proposed development would constitute an unacceptable form of development without justification in an un-sustainable location, by virtue of the site being located outside of the settlement boundary and within the countryside. The development fails to meet the criteria for development in Saved Local Plan Policy NE5. It is also considered that the proposed development would result in an unacceptable increase in traffic using Grassy Lane and an access which lacks appropriate visibility for the speed of traffic on the main road which would lead to increase dangers for road users. It is therefore considered that the development fails to meet the criteria as set out within Saved Local Plan Policy T5. Accordingly it is recommended that the application be refused.

RECOMMENDATION:- REFUSE, for the following reasons:-

Reasons :-

1 In the opinion of the Local Planning Authority, the proposed development would constitute an unjustified and visually harmful unacceptable form of development in an un-sustainable location, by virtue of the site being located within the countryside. As such the proposal is contrary to central government guidance contained within PPS1; PPS7 and Adopted Saved Local Plan Policies NE5 and BE1.

2 In the opinion of the Local Planning Authority, the proposed development would result in an unacceptable increase in traffic using Grassy Lane and an access which lacks appropriate visibility for the speed of traffic on the main road which would lead to increase dangers for road users. As such the proposal is contrary to Adopted Saved Local Plan Policy T5.

Notes to Applicant:-

Contact Officer:- Ebbony Mattley Ext 5691