

Item No. 12

SCHEDULE B

APPLICATION NUMBER	CB/11/00297/FULL
LOCATION	Land Adjacent 84, Station Road, Ridgmont
PROPOSAL	Change of use of existing car park to area for storage of cars (Retrospective)
PARISH	Ridgmont
WARD	
WARD COUNCILLORS	Cllr Bastable, Cllr Clark, Cllr Matthews
CASE OFFICER	Vicki Davies
DATE REGISTERED	28 January 2011
EXPIRY DATE	25 March 2011
APPLICANT	Mr M Boyce
AGENT	Landscape Land and Property
REASON FOR COMMITTEE TO DETERMINE	Public Interest
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The site is located on the eastern side of Station Road to the south of the village of Ridgmont. The site is outside of any settlement envelope and for the purposes of planning is in the open countryside. To the south of the site are residential dwellings, on all other sides is open agricultural land. The site consists of a hard standing of approximately 1000 square metres and is bounded by mature hedges.

The Application:

The application seeks retrospective consent for the storage of cars on the site. The application sets out that the site is used only to store cars awaiting sale. Cars are not viewed at the site. The application sets out that access to the site takes place between 7am and 7pm with occasional access from 6am to 8pm. Occasional access to the site takes place on Saturdays with access only for emergencies on Sundays and Bank Holidays. No maintenance, repair or servicing of vehicles takes place on the site.

RELEVANT POLICIES:

National Policies (PPM & PPS)

PPS1: Delivering Sustainable Development

PPG2: Green Belts

PPS4: Planning for Economic Development

PPS7: Sustainable Development in Rural Areas

Regional Spatial Strategy

East of England Plan (May 2008)

Bedford shire Structure Plan 2011

No relevant policies

Central Bedford shire (North) Core Strategy and Development Management Policies 2009

CS11 - Rural Economy and Tourism

CS14 - High Quality Development

DM3 - High Quality Development

DM4 - Development Within and Beyond Settlement Envelopes

Supplementary Planning Guidance

Design in Central Bedford shire: A Guide for Development

Planning History

CB/10/03475/FULL Erection of 3 bedroom detached house and garage. Change of use from commercial car park to residential. Refused 8/11/10

Representations: (Parish & Neighbours)

Ridgmont Parish Council The site, in a rural area, outside the village envelope is unsuitable for the storage of vehicles for commercial purposes.

Concerned that the applicant has already ignored the requirements of the planning system by using the site for commercial purposes without planning permission and therefore cannot be relied upon to guarantee that the use of the site would not be increased to include, for example, storage of commercial vehicles and vehicle repairs etc.

Request the application is refused

If minded to grant permission request strongly the application of stringent conditions limiting the number of vehicles stored and prohibiting the storage of any commercial vehicles, caravans etc. Also ask that a condition is applied prohibiting the site from any activity related to vehicle repairs and maintenance.

Similarly, in order to safeguard against any future changes we would ask that any permission is made personal to the applicant only.

Neighbours 6 letters of objection have been received to the application and 1 letter of support

The objections to the retrospective application are:

- impact on highway safety of car transporters parking on the

road;

- impact on privacy, house and garden
- noise and disturbance
- commercial business on edge of village
- health and safety concerns, fire prevention
- impact on storm water and drainage
- covenant on the land preventing building
- installation of lighting and impact on amenity
- commercial signage and recent construction of shed
- claim that land is derelict
- no tree survey despite trees on site
- the conversion of the offices to residential has not been implemented and the car park is therefore not redundant
- complaints have been made but no action has been taken
- operating hours are significantly longer compared to office car park use
- risk of crime
- CCTV
- visual impact
- entrance to car park is concealed and entrance and exit dangerous
- a residential area should not have commercial businesses in
- access to the site in an emergency
- cars left running causes noise and air pollution
- no car washing should be permitted on site

The letter of support sets out that the writer has not witnessed any disruption due to the activities in the site or danger to cars or pedestrians and considers that the use of the land is preferable to it being vacant and subject to flytipping etc.

Consultations/Publicity responses

Highways Development Control It is understood that the vehicles stored at the site are brought to it and taken from it by a car transporter which does not enter the site but instead loads/unloads in the highway which is not acceptable as it obstructs the free flow of the traffic using the highway, obstructs driver/driver intervisibility close to a bend in the road, and creates on street parking.

Deliveries and collections should be made within the site. Access is taken from a classified road and as such should have an on site turning area to allow a vehicle to leave in forward gear. Due to the by-pass, Station Road is relatively lightly trafficked and it would be acceptable for a vehicle to reverse into the site.

The access and kerb radii should also be sufficient to accommodate a transporter entering/exiting the site without over running the existing raised kerb and verge. Details should be submitted to indicate this.

Additional information is requested to address the following:

- A plan showing the access/junction, where the transporter will load/unload within the site and how it will access/exit the site from the highway.
- Clarification that the vehicles on site are there for storage and not to viewed at this location by members of the public or members of the car trade and the vehicles are not for sale/ being sold at this location to members of the public or the members of the car trade.
- Considering that the site is only for the storage of vehicles request justification as to why the site is used from 06.00 until 20.00 including weekends (worse case scenario) and what constitutes as an emergency that the site will be used on a Sunday and/or Bank Holiday.

Further information was provided to address the comments of the Highways Development Control Officer which are considered to address the concerns raised.

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Impact on Character and Appearance of Area
3. Impact on Amenities of Nearby Residents
4. Highways and Other Issues

Considerations

1. Principle of Development

Ridgmont does not have a settlement envelope and therefore for the purposes of planning the site is within the countryside. The site is located on the edge of the built up area of the settlement. The site was previously the car park for a small office development on Station Road. The offices were granted planning permission in 2010 (CB/10/01579/FULL) for conversion to office use. This planning permission has been implemented and the car parking area is therefore redundant.

PPS7 sets out that the countryside should be protected for its own sake, that development should be focussed next to villages and towns and that brownfield land should be used in preference to greenfield land. The site has not changed significantly in appearance between its use as a car park and a car storage facility. The site is immediately adjacent to the village of Ridgmont and is on brownfield land.

PPS4 sets out that development in open countryside away from existing settlements should be strictly controlled. The application site is adjacent to an existing settlement and the location is therefore not contrary to PPS4.

Core Strategy policy CS11 sets out that the diversification of the rural economy should be supported and that the conversion of redundant properties to commercial, industrial, tourist and recreational uses should be considered in the first instance. The proposal represents the conversion of an otherwise redundant piece of land to a commercial use.

The site also falls within the Green Belt. PPG2 defines inappropriate development within the Green Belt but does not discuss in detail the use of land. It is considered that as the land was previously in use as a car park its continued use for the storage of cars is not inappropriate in Green Belt terms. PPG2 states that when any redevelopment of land in the Green Belt occurs it should so far as possible contribute to the objectives for the use of land in Green Belts. In this instance it is considered that the application contributes to the recycling of derelict and other urban land.

Overall it is considered that although the site is within the countryside it is located on the edge of the village of Ridgmont and relates well to the built up area. The land is brownfield, previously used as a car park, a now redundant use. Although the proposal represents development in the countryside it is not considered that it would be contrary to policy.

2. Impact on Character and Appearance of Area

Core Strategy policy DM3 sets out that new development should be appropriate in scale and design to its setting.

The site is surrounded by a mature hedgerow which stands approximately 1.5 metres high. The site also includes some trees. The planting means that apart from through the access views into the site are not possible from street level. The site was previously used as a car park and although there are now more cars parked on the site than previously it is not considered that this significantly changes the visual impact of the development. The use of the site for car storage does not have any adverse visual impact on the countryside.

The site is contained by the hedges on all sides and the scale of the development is therefore limited. The site is currently used for the storage of cars which cannot be seen over the hedgerow. It is considered that if the site were used for the storage of vans, lorries or other larger vehicles that these would be seen. It would therefore be appropriate to restrict the height of vehicles which can be stored on the site in order to protect the visual appearance of the area.

Some objectors have stated that the commercial operation is inappropriate in its location. The character of Station Road is predominately residential however it is not considered that the car storage has a significantly different character to that of the car park. The level of use of the car storage could lead to a significant change in character and therefore the operating hours and level of use should be controlled by conditions.

The site has been in use as car storage for around three years. It would not appear that in that time there has been such a level of use that has led to the change in the character of the area.

Overall it is considered that the character and appearance of the area would not

be adversely effected providing that the use of the site is controlled by conditions.

3. Impact on Amenities of Nearby Residents

Core Strategy policy DM3 states that the amenities of surrounding residents should be respected.

Local residents have raised concerns over impact on privacy, noise, disturbance, light pollution, operating hours, use of CCTV and risk of crime.

The site is not staffed on a regular basis and no members of the public visit the site. The impact on the privacy of neighbouring residents is therefore limited. The use of the site can be limited by conditions restricting operating hours and it is not considered that the use would have significant adverse impact on the privacy of nearby residents. Vehicles have been delivered to the site by a car transporter. Views into neighbouring gardens were possible from the car transporter which is considered to have had an impact on privacy. The applicant has agreed that no car transporter will deliver cars to site in the future. A condition requiring a method statement for the delivery of cars to be submitted and approved in writing. In addition it is considered that a temporary consent would be appropriate in order for the effectiveness of the conditions in controlling the development to be assessed.

The movement of cars to and from the site will cause a level of noise and disturbance. It is not however considered that the number of vehicle movements each day would exceed those experienced when the site was in use as a car park. Providing the use of the site is controlled by conditions it is not considered that the level of noise and disturbance experienced by nearby residents would be unacceptable, particularly compared to the previous use as a car park.

The application does not include any proposals for external lighting on the site. A condition can be added to any planning permission granted requiring the submission of details before any external lighting is installed.

The operating hours of the site are set out in the planning application as 7am to 7pm Monday to Friday. The application does however state that there are occasions when cars are collected as early as 6am and as late as 8pm. There are occasional uses of the site at the weekend by rarely on Sundays or Bank Holidays. It is considered that the operating hours of 6am to 8pm would lead to an unacceptable level of disturbance to local residents as the previous use of the car park would have likely to taken place to serve a 9am-5pm working day. It is considered that operating hours of 9am to 5pm would be acceptable, this is satisfactory to the applicant. The applicant does however wish to be able to access the site on Saturdays to undertake maintenance to the boundaries etc. Emergency access to the site would also be necessary at all times. An emergency would be an event such as vandalism or an attempted break-in, no cars would be removed for transport during the emergency access times.

Some objectors are concerned that the use of CCTV on the site would lead to an invasion of their privacy. The application does not include any reference to CCTV. CCTV can be installed without the need for planning permission if it meets certain criteria and therefore would not need to be included in the proposal. It is not considered that the installation of CCTV would significantly

adversely impact the privacy of neighbours.

A number of objectors are concerned about the risk of crime associated with the use of the site. It is accepted that when the site was used as a car park for the offices it was unlikely that there would have been any cars left on site overnight. The site is secured by a substantial gate and bounded with dense hedgerows. It would not be easy to remove vehicles from the site. It is also considered that any increase in crime would be on the site rather than on the land of neighbouring residents.

Some objectors set out that there are health and safety risks associated with the use of the site including risk of fire and explosion. It is not considered that there are any significant risks which are greater with the current use than a car park. Any potential health and safety issues would be dealt with under legislation outside of the planning system.

4. Highways and Other Issues

The existing access to the site continues to be used for access to the land. The Highways Development Control officer is satisfied that the access is suitable for cars. Any car transporter used would need to be able to reverse into the site and turn within the site, before leaving in a forward gear. The applicant has stated that car transporters will no longer be used to deliver cars to the site. Parking car transporters on the road is unacceptable and causes a hazard to road users. A condition will be added to any planning permission preventing any vehicle used to transport cars to the site stopping or parking on Station Road. In order for the effectiveness of the conditions in adequately controlling the activity to be assessed it is considered that a temporary consent should be granted. A three year consent would enable the situation and impact on highway safety to be reviewed. If the situation was considered acceptable and suitability controlled by conditions it may be judged appropriate to grant a permanent permission.

The Highway Development Control Officer is satisfied that since the opening of the Ridgmont bypass Station Road is relatively lightly trafficked and the use would not have a significant adverse impact on highway safety.

Some objectors raise concerns over storm water and drainage. Others state that there should not be any car washing on site due to the sensitive ponds on the neighbouring land. The site, as no changes have been made, will not result in any changes to the existing surface water run-off situation. No car washing is proposed on the site and this can be secured by condition as it is considered this would be an inappropriate activity for the site.

Recommendation

That Planning Permission be granted subject to the following:

- 1 This permission is limited to a period expiring on 31 June 2014 when the use shall be discontinued unless before that date the Local Planning Authority has granted permission for its (their) continuation.

Reason: To allow the Local Planning Authority to review the use when the permission expires.

- 2 No car transporters or other vehicles used for the delivery of cars shall be used to deliver cars to the site. A written scheme detailing the procedure for the delivery and removal of cars from the site hereby permitted shall be submitted within three months of the date of this permission. All deliveries and removals of cars shall then be carried out strictly in accordance with the approved scheme. If within three months of the date of this permission no scheme has been submitted the use hereby permitted shall cease and all vehicles removed from the site.

Reason: In the interests of highway safety and residential amenity.

- 3 Activity on the site shall only take place between the hours of 9am to 5pm Mondays to Fridays. Activity on the site shall only take place between the hours of 9am and 5pm on Saturdays for the purposes of maintaining the site, and not at all on Sundays and Bank Holidays. Activity outside of the permitted hours shall be to deal with emergencies only.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 4 No members of the public shall be permitted to visit the site and no sales shall take place from the land hereby permitted, either to traders or customers, nor shall it be used for the collection of goods by retailers or consumers.

Reason: In order to maintain control over the future use of the site in the interests of the general amenities of the area and/or highway safety.

- 5 The site shall be used for the storage of motor vehicles only. No washing, maintenance or other works to vehicles shall be permitted to take place on the site.

Reason: In the interests of residential amenity.

- 6 No more than 20 vehicles shall be permitted to be stored on the site at any one time.

Reason: To protect the amenities of nearby residents and in the interests of highway safety

- 7 No vehicles other than private motor cars shall be stored on the site.

Reason: In the interests of visual amenity

- 8 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of neighbouring properties and highway safety.

- 9 This consent relates only to the details shown on plans CBC/001 & CBC/002 received 28/1/11 or to any subsequent appropriately endorsed revised plan.

Reason: To identify the approved plans and to avoid doubt.

Reasons for Granting

The proposal would not be in conflict with Green Belt policy, detrimentally impact upon the character and appearance of the area nor would there be any significant adverse impact on the amenities of neighbouring residents. Nor would there be any adverse impact on highway safety. The scheme therefore is in conformity with Planning Policy Statement 1 (2005), Planning Policy Guidance Note 2 (1995), Planning Policy Statement 4 (2009) and Planning Policy Statement 7 (2010) and Policies CS11, CS14, DM3 and DM4 of the Core Strategy and Development Management Policies, November 2009. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

Notes to Applicant

1. This permission represents the maximum extent of development which is considered appropriate in this location.
2. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

DECISION

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