MR. K. SELLARS - CARAVAN FOR USE AS AN OFFICE/ WASHROOM IN CONNECTION WITH GREEN WASTE REFUSE - CROWTHORNE FARM, LANDYKE LAND SCALFORD (MELTON BOROUGH)

2005/0184/06 - 25th February 2005

Background

1. This application relates to the provision of an office in connection with a composting operation, which is considered to be ancillary to a waste operation and therefore a County Matter. Melton Borough Council has agreed and forwarded the application to the County Council.

2. From investigation of the planning records it became evident that the composting operations at Crowthorne Farm did not benefit from planning permission. The applicant has since submitted a retrospective planning application for composting operation, which will be considered elsewhere on the agenda.

3. Melton Borough Council granted planning permission on the 29th March 2005 for an additional agricultural building at Crowthorne Farm complex. The new permitted building will be located to the east of the existing farm building.

Location of Proposed Development

4. Crowthorne Farm is located in Melton Borough, 1.8km north of Scalford Village in an Area of Particular Attractive Countryside as identified in the Melton Local Plan. The proposed application area lies within the existing farm complex, which is bound to the east by Eastwell Road, Crowthorne Farm House to the north (which is not part of the farm complex) and agricultural land to the south and west. Access to the site is from Eastwell Road. The nearest Property to the proposed application is Crowthorne Farm House is within 200 metres.

Description of Proposal

5. As part of managing the composting operations on at Crowthorne Farm Mr Sellars requires an office and wash facilities for himself and employees. The Caravan would cover an area of 40 square metres next to an existing agricultural
building. The caravan is 10 metres in length by 4 metres in width by approximately 3 metres in height. The external colour of the caravan would be green and white.

6. The Office would be used between 06.00 and 21.00 hours, 7 days a week. The office would only be used in conjunction with the composting operations and it would not be a residential facility.

7. It would be situated on the edge of an existing grass field alongside a low blockwork to the east. There is a low hedgerow to the west with views across the surrounding countryside.

Planning Policy

8. The development plan in this instance is made up of the Regional Spatial Strategy for the East Midlands Area (adopted March 2005), Leicestershire, Leicester and Rutland Structure Plan (adopted March 2005), Leicestershire, Leicester and Rutland Waste Local Plan (adopted Sept 2002) and Melton Borough Local Plan

Regional Spatial Strategy (RSS8) - March 2005

9. The strategy encourages development of the rural economy, including farm based enterprises at an appropriate scale for the surrounding landscape. The Strategy also promotes a change in consumer and business approach to waste looking towards reduction and promoting re-use and recycling.

Leicestershire, Leicester and Rutland Structure Plan - March 2005

10. Strategy Policy 8: Development in the Countryside - should be considered against the landscape character, scale, and type of development. Development in the Countryside will only be acceptable if the general appearance and character of the landscape and the countryside is safeguarded or enhanced.

11. Resource Management Policy 9: Allocating land for waste management development will take account of its likely impact on the environment and the need for the development.

Leicestershire, Leicester and Rutland Waste Local Plan (adopted Sept 2002)

12. WLP Policy 8, Environmental Considerations: Indicates instances where waste management operations will not normally be allowed by virtue of the impact on environment. The relevant criteria to this case includes whether the development would have an adverse impact on an Area of Particularly Attractive Countryside,
Melton Local Plan - June 1999

13. *Countryside and the Natural Environment Policy C2*: Planning permission will be granted if the development is ancillary to the main agricultural use, the development is compatible in terms of scale, design and layout. There is no adverse impact on the rural landscape. The access would not detriment the rural character of the area and the transport can be accommodated on the local highway network.

**Consultations**

**Melton Borough Council (Planning)**

14. The Borough Council is concerned about the potential impact of the caravan on the character and appearance of the open countryside and also the adjacent dwelling and consider that there may be scope to accommodate the facility within an existing building.

15. However, should the proposal be considered acceptable it is recommended that conditions be imposed requiring satisfactory landscaping and also ensuring that the caravan does not become a residential unit in the future.

**Scalford Parish Council**

16. The Parish Council strongly objects to the proposed caravan to be used as an office/washroom. They consider the development on site inappropriate and that if an office/washroom is required, it should be placed in one of the existing buildings, or a building for which they already have consent.

**Highway Authority**

17. The proposed development shall always remain ancillary to the existing use of the site and shall not be sold, leased or otherwise disposed of separately from, the remainder of the premises.

18. Before development commences the Highway Authority would require an amended plan showing not less than one additional car parking space provided within the curtilage of the site, to prevent on street parking.

**Publicity**

19. The proposal has been advertised by Melton Borough Council locally by site notice and neighbour notification 17th March 2005. No letters of representation have been received prior to this report being produced.

**Assessment of Proposal**

20. The proposed development should be assessed against the development plan and in particular polices in the Leicestershire, Leicester and Rutland Structure Plan and Melton Local Plan.
21. The proposed caravan is ancillary to the nearby composting operations and would only be used to administer the composting operations and offer washroom facilities to employees on site. If planning permission were to be granted then its life could be conditional to the life of the composting operations.

22. It has been suggested that the office and washroom facility should be provided within an existing building on the farm. The applicant has considered using an existing building but assessed that there is no spare space, so much so that Mr Sellars had applied to Melton Borough Council for an additional agricultural building which was approved 24th March 2005. The new agricultural building lies to the east of the existing farm complex next to the new tree planting area.

23. The proposed caravan office would be located behind an existing farm building so that there should be no significant visual impact from the south, east or west. The most significant view of the proposed caravan would be from the north in particular from Crowthorne Farm House.

24. Additional plant screening could be erected to reduce the visual impact of the caravan. The caravan would also be a green and white colour to reduce visual impact. Screening of the caravan could be required by condition, if planning permission were granted. Therefore the caravan should not have a detrimental impact on the character of the surrounding landscape if these mitigation measures are implemented.

25. The Highway Authority had concerns about on street parking from vehicles visiting the site. There is an area on site that could be designated as car parking for employees and visitors which would satisfy the Highway Authority’s concern and would prevent on street parking on Eastwell Road and Landyke Lane.

26. It is considered that the siting of a caravan at Crowthorne Farm to administer composting operations would not be contrary to development plan policies. The caravan could be screened with improved landscaping therefore reducing the visual impact on the surrounding property and landscape. There is an area within the farm complex that can be utilised, as a parking area to ensure there is no on street parking and the caravan shall only be used in relation to composting. Therefore planning permission should be granted subject to conditions. However given the temporary nature of the caravan structure, it would be prudent to ensure that it does not fall into despair and become unsightly. In order to ensure that proper maintenance is carried out on the caravan office it is further recommended that any consent be on a temporary basis so that it can be kept under review.

**Recommendation**

A. Permit subject to the following conditions

B. To endorse, as required by the Town and Country Planning (General Development Procedure) Order 1995 (as amended) a summary of the:
(i) Policies and proposals in the development plan which are relevant to the decision, as follows:

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government’s current planning policy guidance and the relevant Circulars, together with the relevant Development Plan Policies, including the following and those referred to under specific conditions as set out in the appendix:

(Regional Spatial Strategy)
(Policies SP8 and RM9 of the Leicestershire Structure Plan Written Statement 1996 to 2016)
(Policies C2; Melton Local Plan)
(Policies WLP8 of the Leicestershire, Leicester and Rutland Waste Local Plan)

(ii) Reasons for the grant of planning permission as follows:

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material consideration that indicate that the decision should be made otherwise. The County Council also considers that any impact to the amenities of the area as a result of the proposed development would reasonably be mitigated by the imposition of the conditions as set out in the appendix.

Background Papers

Planning Application 2005/0391/06
Planning Permission 2005/00105/FUL

Circulation Under Sensitive Issues Procedures

Mr. J.B. Rhodes CC

Officers to Contact

Miss. K. Hannaford-Hill (Tel. 0116 265 7043)
E-Mail: planningcontrol@leics.gov.uk
Condition

1. This permission is limited to a period expiring on the 31st July 2008. Immediately on the expiry of that period the caravan hereby permitted shall be removed and the land reinstated to a condition previously agreed by the Director of Community Services, unless in the meantime a separate permission is granted for the retention of the caravan.

2. Unless otherwise approved in writing by the Director of Community Services or otherwise required by condition attached to this permission, the development hereby permitted shall be carried out in accordance with the details contained in the submitted application no 2005/0184/06 dated 23 February 2005.

3. Unless otherwise agreed in writing by the Director of Community Services the caravan shall be removed from the site within one month of composting operations ceasing on site.

4. The caravan shall only be used for the purpose of administrating the composting operation on this agricultural holding and as a washroom by employees.

5. The caravan shall not be used for residential purposes

6. Unless otherwise agreed in writing by the Director of Community Services the caravan shall be retained in a green and white external colour finish.

7. Prior to commencement, an amended plan shall be submitted to and approved in writing by the Director of Community Services, showing not less than one additional car parking space within the curtilage of the site. The approved scheme shall be provided before the development is brought into use and shall thereafter permanently remain available for car parking.

8. Before the approved caravan is placed on site, a landscaping scheme shall be submitted in writing by the Director of Community Services for written approval. The submitted scheme shall include details of hedgerow specification, number, species, location and long term maintenance. The approval scheme shall be implemented within the first planting following positioning of the caravan on site.

Reasons

1,2. To enable the MPA to adequately control the development in this isolated rural location and to minimise its impact on the amenities of the local area.

3,4. Policy CI Melton Local Plan)

&5. To minimise the impact on the surrounding rural landscape and to safeguard the amenities of local residents.

7. In the interests of highway safety.
The considerations set out below apply to all preceding applications.

**EQUAL OPPORTUNITIES IMPLICATIONS**

Unless otherwise stated in the reports there are no discernible equal opportunities implications.

**IMPLICATIONS FOR DISABLED PERSONS**

On all educational proposals the Director of Education and the Director of Property will be informed as follows:

**Note to Applicant Department**


You are advised to contact the County Council’s Human Resources Department if you require further advice on this aspect of the proposal.

**BACKGROUND PAPERS**

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

**SECTION 54A OF TOWN AND COUNTRY PLANNING ACT 1990**

Members are reminded that Section 54A of the 1990 Act requires that:

"Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

Any relevant provisions of the development plan (i.e. the Structure Plan or any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to “have regard” to the development plan are:

- Section 70(2) : determination of applications;
- Section 77(4) : called-in applications (applying s. 70);
- Section 79(4) : planning appeals (applying s. 70);
- Section 81(3) : provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
- Section 91(2) : power to vary period in statutory condition requiring development to be begun;
- Section 92(6) : power to vary applicable period for outline planning permission;
- Section 97(2) : revocation or modification of planning permission;
- Section 102(1) : discontinuance orders;
- Section 172(1) : enforcement notices (the phrase occurs also in the new s. 172 which is substituted by the Planning and Compensation Act 1991, but not in the new provisions relating to planning contravention notices (new s. 171C) and breach of condition notices (new s. 187A);
- Section 177(2) : Secretary of State’s power to grant planning permission on enforcement appeal;
- Section 226(2) : compulsory acquisition of land for planning purposes;
- Section 294(3) : special enforcement notices in relation to Crown land;
- Sched. 9 para (1) : minerals discontinuance orders.