

AGENDA ITEM NO. 8/1(b)

Parish:	Hockwold cum Wilton	
Proposal:	Retrospective Change of use of land for the siting of 8 storage containers	
Location:	Twelve Acre Farm Moor Drove (East) Hockwold cum Wilton THETFORD	
Applicant:	Mr Brian Ruterford	
Case No:	21/00434/F (Full Application)	
Case Officer:	Lorna Gilbert	Date for Determination: 26 May 2021 Extension of Time Expiry Date: 17 September 2021

Reason for Referral to Planning Committee – Objection from Hockwold cum Wilton Parish Council.

Neighbourhood Plan: No

Case Summary

The application is part-retrospective as four of the proposed eight storage containers are on site. The application site lies around 500m from the development boundary of Hockwold cum Wilton, and is accessed from Moor Drove (East), which is located to the west of the site, and to the south is Moor Drove. The surrounding area is characterised by equestrian and agricultural uses.

Hockwold cum Wilton Parish Council (PC) has objected to the proposal on the grounds that the development is out of character, the design and appearance, highway safety, and also question permitted development. However, the scheme has been found to be consistent with relevant planning policies. Consequently, the proposal is recommended for approval.

Key Issues

Principle of development
Form and character
Highway implications
Impact on Living Conditions
Biodiversity
Flood Risk
Crime and Disorder
Specific comments or issues

Recommendation

APPROVE

THE APPLICATION

The application site is accessed from Moor Drove (East), which is located to the west of the site, and to the south is Moor Drove. The application is part retrospective as there are presently four storage containers on site. These are located behind a machinery store that is within the applicant's ownership. This building is subject to a separate planning application (reference 21/01127/F) to convert it into a dwelling, although this is yet to be determined. Land to the north is being used for equestrian purposes and beyond this lies agricultural fields.

The application seeks planning permission for 8 single-storey storage containers and the change of use of the land to storage purposes.

SUPPORTING CASE

Below are comments on behalf of the applicant put forward in the Planning Statement:

There is an increasing demand throughout the country for self-storage. The proposal will therefore help to enhance the diversification of not only the applicant's business but provide a needed service.

The existing access will be utilized which has already been upgraded and although the proposal will result in additional traffic movements, the nature of the proposal, i.e. medium to long term storage use, it is not considered that there will be significant impact on highways. The site is on a quiet road with no nearby dwellings, and this quickly gives access to the wider road network which is of good quality.

The storage containers are to be sited to the southern boundary of the site. Existing vegetation will help mitigate any visual impact from the road.

The proposal is sustainable in it will introduce a new business use on a business site (equestrian) and enable further development of the site. Socially it will provide a required service and environmentally the siting and moveable nature of the containers will have minimal impact on the locality.

Traffic will be in the form of cars and small vans with typical customers being small businesses and individuals renting storage facilities for 6 to 12 months. There will therefore be no noise implications.

The site is an old farmstead. Planning policy supports the re use of sites for development, particularly when there is an identified need. There is clearly a demand especially for small businesses and householders with limited space. Planning policy also supports the development and diversification of agricultural and other land based rural businesses.

Overall, this is a small-scale development and will not produce any particular impact.

PLANNING HISTORY

21/01127/F: Pending Consideration - Proposed conversion of agricultural building to dwelling

20/00366/FM: Decision Date: 11-JAN-21 (Committee) - Application Permitted - Retrospective application for use of land for an equine care / livery business, mobile home /

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temporary accommodation ancillary mobile unit housing customer w.c.s, office and tack room

14/01644/F: Decision Date: 13-FEB-15 (Delegated) - Application Permitted - Application for the erection of a general purpose agricultural building

14/01659/F: Decision Date: 21-JAN-15 (Delegated) - Application Permitted - Application for the erection of three polytunnels; (1x) 20m x 8m, (1x) 20m x 5m, (1x) 20m x 4m

14/01657/F: Decision Date: 21-JAN-15 (Delegated) - Application Permitted - Application for the erection of three polytunnels; (1x) 20m x 8m, (1x) 20m x 5m, (1x) 20m x 4m

14/01658/F: Decision Date: 21-JAN-15 (Delegated) - Application Permitted - Application for the erection of three polytunnels; (1x) 20m x 8m, (1x) 20m x 5m, (1x) 20m x 4m

12/00448/F: Decision Date: 29-MAY-12 (Committee) - Application Permitted - Retrospective consent for a change of use of land for the siting of temporary agricultural dwelling (mobile home)

12/01724/F: Decision Date: 18-DEC-12 (Delegated) - Application Permitted - Construction of dog kennels

11/01793/F: Decision Date: 09-JAN-12 (Committee) - Application Permitted - Retrospective application for the increase in height of machinery/feed store with reference to previously approved application 08/02714/F

11/01949/F: Decision Date: 01-AUG-12 (Delegated) - Application Permitted - Retrospective application for the construction of three chicken runs and a timber shed

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

Out-of-character - The design of the development, its scale and use, is such that it is out of character with its surroundings. The businesses along Moors Drove are horsiculture/agriculture. This is an integral trait of this rural single-track road. The overall opinion is that this is not just an eye sore to this specific area, but opposite to the character of the agricultural area of the parish.

Design, appearance - The business and the metal containers are not in kind with the surrounding area. The area is rural and picturesque. It has no 'industrial aspects or businesses'. It should remain an area of agricultural use. Too much of Hockwold cum Wilton Parish has been given permission to alter the agriculture ties and history of the area. There is no local emergent need for storage in Hockwold. There are several storage facilities in and around the area.

Road Safety - The development may lead to a significant impact upon road safety. The local population have already witnessed near misses with horse boxes trying to pass along the single track road. We have had reports of unsafe conditions for pedestrian walkers that use this route daily with no shoulder to the road left. It has been a historic route for residents to exercise and walk their dogs. This needs to be protected as a safe route for that.

Highway matters – parking & turning, visibility splays for the increased traffic entering and exiting Station Road meet the minimum required for safe travel. Even with the alterations

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made to the entrance to Station Road it is still a location with minimal vision for fast moving traffic along Station Road and those entering and exiting from Moors Drove. The wear and tear on the rural road. Who will maintain and assure it is fit for purpose?

Permitted Development - It is not in the permitted development area of Hockwold cum Wilton. It is not permitted development adjacent.

Highways Authority:

Our experience with storage containers is that they generate sporadic trips and for a scale of this nature are likely to be relatively low in number. You will however be aware of our previous concerns in relation to the ability of the Moor Drove junction to cater for further vehicles and in this respect, I refer you to my comments for planning reference 20/00366/FM.

On balance, provided that the junction improvements of Moore Drove with Station Road are provided and only on such a basis, I would not have an objection to the application and recommend the following condition below (in case 20/00366/FM is not implemented).

Within 6 Months of the use hereby permitted the vehicular access / junction of Moor Drove (East) with Station Road shall be upgraded and widened (to facilitate passing) in accordance with the Norfolk County Council industrial access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway and in accordance with details to be agreed in writing by the Local Planning Authority.

Environmental Health & Housing – Environmental Quality: NO COMMENT

No comments with regard to contaminated land.

Environment Agency: NO COMMENT

We have reviewed the information submitted and have no comment to make on this application.

Natural England: NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

European sites – Breckland Special Protection Area

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Breckland Special Protection Area and has no objection to the proposed development.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

REPRESENTATIONS

NONE

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Design Guide 2019

PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are as follows:

- Principle of development
- Form and character
- Highway implications
- Impact on Living Conditions
- Biodiversity
- Flood Risk
- Crime and Disorder
- Specific comments or issues

Principle of development

The site is designated as countryside, the National Planning Policy Framework 2021 (NPPF) and Policies CS06 and CS10 of the Local Development Framework - Core Strategy 2011 (CS) support sustainable rural enterprises and seek to ensure strong, diverse, economic activities commensurate to the size and scale to the local area.

The NPPF at paragraph 84 states: "Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.
- b) the development and diversification of agricultural and other land-based rural businesses.
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

Paragraph 85 of the NPPF acknowledges that 'decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.'

Policy CS10 refers to the economy and in particular rural employment exception sites. It states: 'The Council will support the rural economy and diversification through a rural exception approach to new development within the countryside; and through a criteria based approach to retaining employment land and premises.'

Permission may be granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need.

Any development must satisfy the following criteria

- i) It should be appropriate in size and scale to the local area.
- ii) It should be adjacent to the settlement.
- iii) The proposed development and use will not be detrimental to the local environment or residents'

According to the Local Plan Policy Evaluation submitted as part of the application, the applicant farms around 240 hectares for arable and cattle. The applicant argues the application site is not suitable for agricultural use and has been let for an equestrian business and includes a small area where the containers are sited. The proposal would allow diversification, which the applicant argues is necessary following changes to farm subsidies.

Although the site does not lie adjacent to the settlement (Policy CS10 of the CS) it would be consistent with the more recent NPPF (2021) which recognises that sites may be found beyond settlements. On balance, given the modest scale of the development (8 storage containers), it would complement the remaining agricultural use at the farm and assist with farm diversification, which is consistent with the objectives of the NPPF. Consequently, the

principle of development would be acceptable with respect to the NPPF, CS and SADMPP, providing the proposal meets the material considerations below, including no adverse impact upon the local environment and residents.

Form and character

The PC has objected to the application and considers the containers to be out of character due to the design, scale and use. There are presently four single-storey storage containers on site and the proposal is for a total of eight. They are located behind a machinery store, set back around 300 metres from Moor Drove (East), which lies to the west of the application site. To the south is a single-track drove which is around 15 metres from the storage units.

The surrounding area is primarily characterised by agricultural fields with sporadic clusters of farm buildings, houses, and equestrian uses. There is presently some screening of the industrial containers from the road to the south, however it is recommended additional landscaping be conditioned to improve screening of the development from the wider area.

Planning application 21/01127/F seeks to convert the neighbouring machinery store into a dwelling. If this were to be granted planning permission additional planting could be required to assist with screening the storage units from this neighbouring building. This can be addressed through the recommended landscaping condition if needed.

It is considered on balance, that providing the containers are not stacked and a landscaping condition is included, there would be a minimal impact to the existing character and appearance of the site and the wider countryside, and the proposal would be consistent with Policy CS10 of the CS, Policy DM15 of the SADMPP and the NPPF.

Highways implications

The PC has raised highway safety concerns that includes the existing use of the nearby single-track roads by vehicles (including horse boxes) and walkers. They also raised concerns with parking, turning, visibility splays for increased traffic entering and exiting Station Road and query road maintenance.

The Highway Authority expects the containers to generate relatively low numbers of sporadic trips due to the scale of the development. They highlighted their previous concerns over the Moor Drove and Station Road junction which they raised in previous permission (reference 20/00366/FM). They would not object to the current application, providing this road junction is improved and request the condition proposed on this previous permission be replicated for this current application.

However, the road junction improvements have been undertaken and the Council is waiting to hear back from the County Council as to whether it is to the appropriate standard. Therefore, as the works has been undertaken and Enforcement action could be taken if it is not up to standard, it is considered unnecessary to replicate this condition for the current application.

It is acknowledged that the site would add traffic to the network of single-track roads close to the application site. However, as highlighted by the Highway Authority, the proposal is not expected to create many vehicle movements due to the number of containers proposed. Consequently, it is unlikely to lead to an unacceptable impact on highway safety, or the cumulative impacts on the road network being severe. It is not considered justifiable to require the proposal to provide road maintenance due to the low number of vehicle trips anticipated by the development.

There is adequate space for vehicles to unload and turn around within the site.

Accordingly, the development would be acceptable with respect to highway safety and would be consistent with Policy DM15 of the SADMPP.

Impact on Living Conditions

Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP) states 'Development must protect and enhance the amenity of the wider environment... Proposals will be assessed against their impact on neighbouring uses and their occupants... Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.' Policy 170 of the NPPF also refers to preventing new development from contributing to unacceptable levels of noise pollution.

There are no dwellings outside the applicant's ownership near to the application site. Accordingly, the proposal would not result in a loss of light, noise disturbance or outlook to residential properties due to the position of the proposal. Due to the nature of the development, it would not lead to a loss of privacy.

Consequently, the proposal would not harm the living conditions of nearby residents and would be acceptable with respect to Policy CS10 of the CS and DM15 of the SADMPP and the NPPF.

Biodiversity

The site is within a SSSI Impact Risk Zone and SSSI 2000m buffer area. Based on the plans submitted, Natural England does not object and considers that the proposed development would not have significant adverse impacts on designated sites including the Breckland Special Protection Area. To meet the requirements of the Habitats Regulations, it is noted that a likely significant effect can be ruled out.

Flood Risk

The containers themselves are sited on land which falls within Flood Zone 1, an area with a low probability of flooding according to the Environment Agency's flood map. Furthermore, the Environment Agency has not objected to the proposal, and storage is considered a less vulnerable use according to the Flood Risk and Coastal Change Planning Practice Guidance. Therefore, the development would be acceptable with respect to flood risk.

Crime and Disorder

The proposal would not give rise to any issues relating to crime and disorder.

Specific comments or issues

The PC referred to the application not being permitted development. However, as this application seeks planning permission, it is not necessary to consider it against permitted development criteria. Instead, it is assessed against relevant planning policies.

The PC does not consider there to be a local need for storage in Hockwold cum Wilton. The applicant argues there is an increased demand for long term storage, with the site being near United States Air Force bases Mildenhall and Lakenheath and Thetford. Regardless, the level of demand is not considered a justifiable reason for refusal given the scale of the development and that some of the containers have been on the site for at least 7 years.

CONCLUSION

The development is considered acceptable with respect to the principle of the development, its form and character, highway safety, living conditions, biodiversity, flood risk, crime and disorder and all other comments, as the development complies with the relevant planning policies in the NPPF, CS and SADMPP. Therefore, it is recommended the application be approved, subject to the appropriate safeguarding conditions.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 301/2/2/01, 301/2/2/02, 301/2/2/03
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Within 6 months of the date of this permission, full details of a tree planting scheme (including to screen the southern and eastern sides of the storage containers hereby approved) shall be submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants/trees noting species, plant/tree sizes and proposed numbers and densities where appropriate.
- 2 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 3 Condition: All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to 7 months from the date of the decision notice in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 3 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 4 Condition: The storage containers shall only be stored at natural ground level and not stacked on top of one another.
- 4 Reason: In the interests of the amenities of the locality in accordance with the provisions of the NPPF.
- 5 Condition: The storage containers shall be used for B8 storage use and no other purpose, including any use within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
- 5 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.

- 6 Condition: There shall be no more than 8 storage containers on the site outlined in red on Drawing No. 301/2/2/01 at any one time.
- 6 Reason: For the avoidance of doubt and in accordance with the NPPF
- 7 Condition: Within 2 months of the date of this permission all storage containers shall be painted dark green and retained as such in perpetuity.
- 7 Reason: In order to improve the visual appearance of the containers and minimise the impact on the countryside, in accordance with the NPPF.