

3/10/0165/FP – Single storey storage building for storage of scouting equipment at land at Church Lane, Thorley, Bishop’s Stortford, CM23 4EG for The First Thorley (St James) Scout Group.

Date of Receipt: 03.02.2010

Type: Full – Minor

Parish: BISHOP’S STORTFORD

Ward: BISHOP’S STORTFORD - SOUTH

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:-

1. Three Year Time Limit (1T121)
2. Samples of Materials (2E12)
3. Landscape Design Proposals (4P12) (Delete a, f, g and h)
4. Landscape works implementation (4P13)
5. Tree Planting (4P154)
6. Construction parking and storage (3V221)

Directive

1. No part of the public right of way to the north of the site, or the entrance to the public right of way from Church Lane, shall be obstructed at any stage of the development.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV2, ENV11, TR2, TR7 and TR20 and PPG2. The balance of the considerations having regard to those policies and the permission granted for a scout building at this site in 1998 under lpa reference 3/97/1280/FP is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract. The site forms an area of land to the south of a former school building that accommodates the scout group. The site consists of an area of grass, trees and shrubs that is currently undeveloped, however appears to previously have been occupied by a scout building.
- 1.2 The proposal is for a single storey building that would cover a floor area of 136sqm and would have a pitched roof reaching a ridge height of 4.5metres. The building is proposed to be weather boarded with a steel roof.
- 1.3 It is proposed to be used for the storage and drying out of scouting camping and other outdoor equipment.

2.0 Site History

- 2.1 Permission was granted for a single storey building at the site in 1998 under lpa reference 3/97/1280/FP.
- 2.2 An application for the renewal of the permission granted under lpa 3/97/1280/FP was received in 2002; however this application was later withdrawn.

3.0 Consultation Responses

- 3.1 The Environment Agency has no comments on the application.
- 3.2 The Council's Environmental Health department does not wish to restrict the grant of permission.
- 3.3 County Highways does not wish to restrict the grant of permission subject to conditions and have commented that the area of land to the front of the site is considered to be highway maintainable at public expense. Due to the land being overgrown with vegetation, the size of the existing hard standing is unclear and may require resurfacing. Drawing number SK4 shows the proposed area of hard standing, however a vehicle parked in this location would overhang onto public highway land. It appears that the highway land either side of the existing access is used for drainage, and so any future widening of the carriageway is unlikely to occur. Whilst the reversing of vehicles onto the highway is not ideal due to limited visibility, on balance a refusal would not be justified given that other vehicles reverse from adjacent

driveways and the low vehicle movements that would be generated. As the site lies adjacent to Bishops Stortford Footpath Number 032, this Right of Way should remain unobstructed at all times. The Highway Authority would therefore have no grounds to oppose this development.

- 3.4 The Councils Landscape Officer recommends refusal of the application and comments that the development site and its immediate environment remain relatively un-subsumed into the edge of Bishops Stortford, despite close proximity and is rural / semi rural in character. The tree categorisation in the tree survey is agreed and, due to their relative short term viability, most of the trees on this site may be better replaced with better specimens as part of any development. The tree removal would allow any proposed structure to be located closer to the northern and western boundary than shown. This will facilitate improved scope for screening / landscape planting along Church Lane frontage and between the site and Old School House. A reduction in the size of footprint for the proposed store may also be required in order to accommodate new tree planting on the site. This site occupies a prominent location on the junction of Church Lane and Thorley Lane. White Cottage and Old School House are attractive buildings which assimilate well into their surroundings. This is due to the generous landscape buffer strip currently provided by the development site, together with the absence of other competing built structures within the visual area.

The Officer comments that the Design and Access Statement acknowledges that *“So far as there is any unifying architectural theme it is that the buildings are of vernacular design with pitched roofs and traditional elevation treatments.”* The proposed Scout Store however does not defer sufficiently to the form, style and materials, of this local vernacular and so fails to respect the character and local distinctiveness of the area. The Scout Store has instead been designed in the manner and fashion stated in the Design and Access Statement *“For practical and economic reasons the design of the building is of functional character”*.

Due to the relative size of the footprint for the proposed building to the size of the plot (and the justification for removal of trees provided by the tree survey) the opportunity for additional planting to soften the impact of built development is extremely limited. Sufficient space to accommodate the long term retention of newly planted large tree species in relation to the proposed structure has not been allowed.

4.0 Town Council Representations

- 4.1 Bishop’s Stortford Town Council has no objection to the proposal.

5.0 Other Representations

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

6.0 Policy

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:-

GBC1	Green Belt
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
TR2	Access to New Developments
TR7	Car Parking-Standards
TR20	Development Generating Traffic on Rural Roads

- 6.2 In addition, the following National policy guidance is relevant:-

PPG2	Green Belts
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7.0 Considerations

- 7.1 Both Planning Policy Guidance Note 2 – Green Belts and Local Plan Policy GBC1 outline specific types of development that are appropriate within the Green Belt, which includes agricultural related developments and essential facilities for outdoor sports and recreation. The proposed storage building for the scout group does not fall within the appropriate types of development outlined within PPG2 and Policy GBC1 of the Local Plan. PPG2 states that inappropriate development is, by definition harmful to the Green Belt and that the onus is upon the applicant to demonstrate that the harm that the inappropriate development that is proposed would cause to the Green Belt would be clearly outweighed by other considerations. Very special circumstances must be demonstrated to allow the proposed inappropriate development and to justify a departure from local and national policy.
- 7.2 The very special circumstances that are argued by the applicant in this case is the previous planning history at the site and the community benefit of the proposed development.

- 7.3 The determining considerations in this case relate to whether the special circumstances submitted are sufficient to outweigh the harm that the development would cause to the Green Belt in order to allow a departure from policy, and whether the development complies with the remaining policies within the development plan.
- 7.4 An important consideration for this application is the planning permission granted for a scout building at the site in 1998. The plans submitted with this application showed an existing building on the site that was single storey, and the approved replacement building was to be of a similar size to that currently proposed. This previously approved building accommodated a scout hall, with a large storage area and male and female WC's.
- 7.5 The previous permission in 1998, together with the previous use of the site for a scout building has established the principle for development of this kind at the site. Furthermore there have been no significant changes in national and local Green Belt policy since this previous permission. However, the use of the previously approved building was for a scout hall, whereas the existing proposal is for a storage building. The applicant's agent has confirmed that the existing building that accommodates the scout group is unable to provide the storage needs that the group requires.
- 7.6 Having regard to the previous permission at the site, Officers consider that the principle of the development is acceptable, the impact that the proposed development would have upon the Green Belt would be relatively limited and that the benefits that the storage facility would bring to the scout group, as a community facility, would outweigh this limited harm that would be caused to the openness of the Green Belt.
- 7.7 With regards to the design of the proposed building, this is similar to that approved in 1998. However, the application form states that the use of steel is proposed for the roof as opposed to tiles. A condition to require samples of material to be submitted will ensure that appropriate materials can be used for both the roof and walls of the proposed building. The concerns raised by the Landscape Officer are noted, however, in this case a building designed to reflect the function of the building is considered to be an appropriate approach. The proposed building has a low eaves and ridge height which together with a distance of approximately 7 metres that would be retained to the highway would ensure that the building would not appear unduly prominent. A condition to require the submission of a landscaping plan and for details of tree planting to be agreed will ensure that opportunities are taken to enhance the existing landscaping at the site and

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provide a good level of screening of the proposed building. Officers consider that the proposed building would not appear unduly prominent or be detrimental to the rural character of the area.

- 7.8 The 1998 permission was granted for a scout building subject to conditions that required the retention of existing hedges and trees at the site and the protection of trees during construction and excavation works. However, as the Landscape Officer favors the replacement of existing trees at the site the inclusion of these previous conditions are no longer considered to be necessary or reasonable in this case.
- 7.9 An area to park 1 vehicle is proposed at the site. As the building is proposed for storage purposes in association with the adjacent scout hall (the former school building) where additional parking is available, Officers do not consider any additional parking to the proposed 1 space to be necessary in this instance. County Highways have confirmed that the proposed access is acceptable and that there is no objection to the development on highway grounds.
- 7.10 Neighbouring residential properties Nos. 1-6 Rectory Close are located to the north west of the application site. The proposed building would be situated approximately 15 metres from the side of the closest neighbour at No. 1 Rectory Close. Due to this distance and the limited size and height of the proposed building Officers do not consider that the development would have a detrimental impact upon the amenities of any neighbouring occupiers.

8.0 Conclusion

- 8.1 Officers consider the special circumstances that exist in this case i.e. the permission granted for a scout building at the site in 1998 and the benefits that the development would bring to an existing community use to be sufficient to justify a departure from Policy GBC1 in this case.
- 8.2 The impact that the development would have upon the openness of the Green Belt and the rural character and appearance of the area is considered to be acceptable.
- 8.3 Having regard to the above considerations, it is recommended that planning permission is approved subject to the conditions at the head of this report.