

08/01602/FUL: CONTINUED SITING OF 3 STATIC CARAVANS FOR USE AS STORAGE, OFFICE/CANTEEN AND NIGHT WATCHMANS HUT AT BIKES TRIKES AND STUFF, FIRST DROVE, FENGATE, PETERBOROUGH

VALID: 11 MARCH 2009

APPLICANT: MR J MORPETH

AGENT:

REFERRED BY: CLLR TODD

REASON: TO ALLOW MEMBERS TO CONSIDER WHETHER THE PROPOSAL WOULD REPRESENT 'RESIDENTIAL DEVELOPMENT' WITHIN AN INDUSTRIAL AREA

DEPARTURE: NO

CASE OFFICER: LOUISE LOVEGROVE

TELEPHONE: 01733 454439

E-MAIL: louise.lovegrove@peterborough.gov.uk

1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The principle of development on the site
- The need for the proposed development
- The effect of the proposal on the amenities and character of the area

The Head of Planning Services recommends that the application is **APPROVED**.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Key policies highlighted below.

The Peterborough Local Plan (First Replacement)

OIW1 General employment areas

Planning permission will be granted for development within Use Classes B1, B2 and B8.

T1 Transport implications of new development

Seeks development that would provide safe and convenient access to site and would not result in an adverse impact on the public highway.

DA1 Townscape and Urban Design

Seeks development that is compatible with or improves its surroundings, creates or reinforces a sense of place and would not have an adverse visual impact.

DA2 The effect of a development on the amenities and character of an area

Planning permission will only be granted for development if it can be satisfactorily accommodated on the site itself, would not adversely affect the character of the area and would have no adverse impact on the amenities of the occupants of nearby properties.

DA11 Design for security

Planning permission will not be granted for a development unless vulnerability to crime has been satisfactorily addressed in the design, location and layout of the proposal.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

Planning Policy Guidance 4 (PPG4): Industrial, Commercial Development and Small Firms – seeks to ensure that the planning system operates on the basis that applications for development should be allowed, having regard to the development plan and all material considerations, unless the proposed development would cause demonstrable harm to interests of acknowledged importance.

3 DESCRIPTION OF PROPOSAL

The application seeks permission for the continued siting of three static caravans on a small parcel of land adjacent to the existing premises. These caravans are ancillary to the existing vehicle repair premises and will be used as a combination of offices, a canteen and a night watchman's hut which will be used out of operation hours. The caravans are already in situ on the site and the night watchman's hut is in operation.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site as a whole is located on the edge of but within the Eastern General Employment Area, identified in the Adopted Peterborough Local Plan (First Replacement). First Drove is characterised by a variety of small independent commercial and industrial uses. The application site runs adjacent to a small drainage ditch running south east to north west and beyond this is a small strip of open land. The site is enclosed to the north and south by industrial units and is accessed by a small private drive off First Drove.

5 PLANNING HISTORY

Application Number	Description	Date	Decision
05/00908/FUL	Erection of building for use by staff and club members	29.09.2005	Withdrawn

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – The proposal will not increase vehicle movements to and from the site, and First Drove is a private road. Therefore, no Highway Implications.

Wildlife Officer – No comments due to duplication with Natural England who must be consulted.

Landscape Officer – No issues raised.

Building Control Surveyor – Building Regulation approval is not required.

EXTERNAL

Natural England – No objection to the proposed development in respect of any statutorily designated sites or legally protected species as not aware that the proposals are likely to have a significant impact on any such features.

NEIGHBOURS

None

COUNCILLORS

Cllr Todd has raised concern that premises would be used for private residential use and that this could set precedent for this form of development.

7 REASONING

a) Introduction

The Eastern General Employment Area contains many well-established industrial and commercial premises and contributes towards the business offer of the City. There is an acknowledged issue regarding crime and burglary in the area which has necessitated the siting of three static caravans on the application site, one of which is used as accommodation for a night watchmen, providing security for the premises out of operational hours.

b) Policy issues

There is a strong policy presumption in favour of development within employment use classes (B1, B2 and B8). As this site is within the Eastern General Employment Area and has a substantial amount of established industrial and commercial uses, it is well placed for development that will contribute towards the continued vitality and viability of businesses. The continued siting of the caravans will ensure that a security presence is felt on site throughout the day and night, improving the security of the premises and the wider area. This is in accordance with Policies OIW1 and DA11.

c) Principle of Development

There has been concern raised by Councillor Todd regarding the potential use of the caravans and the precedent that may be set as a residential dwelling. Whilst this concern is acknowledged, from an Officer visit to the site and from the information provided by the applicant supporting the planning application, it is considered that this would not be the case. Particularly the caravan to be used as the night watchman's hut will only be used during the hours the premises are not open to the public and will not be in constant use.

The use of the caravans has been put forward as an ancillary element to the operations of the existing premises and this can be conditioned to remain as such.

d) Need for the development

As part of the application, the applicant has provided several signatures of support from businesses in the surrounding area, as well as letters from both the firm's Insurance Company and Cambridgeshire Police. Letters from the Police Community Safety Officer and Community Support Officer both lend support to the application and clearly identify that a 24 hour presence of security on the site is invaluable in reducing crime. The caravan proposed for security use will only be in operation during the hours that the premises is not open to the public, as security is provided throughout the day by the presence of employees on site.

It is acknowledged that in the wider area, and particularly along First Drove, burglary and crime are a significant factor and as such, the caravan for the use as a night watchman's hut is required in order to reduce the risk of loss to the premises. Without the use of the caravans, particularly for security reasons, the applicant will no longer be able to operate the business out of these premises which would detract from the business offer in the area. Under guidance contained in PPG4, the Local Authority should support small businesses and it is considered that planning permission should be looked upon favourably for business uses. Due to the ancillary nature of the caravans, they should be supported and conditions appended to ensure that their use remains ancillary to the operations of the premises known as Bikes, Trikes 'n' Stuff.

e) Impact on the amenities and character of the area

The area immediately surrounding the application site is generally characterised by industrial and commercial uses with several small to medium sized firms operating within First Drove. As the area has been developed over a period of time and is well established, there is a variety of styles of buildings, with varying states of condition. The small parcel of land upon which the caravans have

been sited is vacant and overgrown and abuts the boundary line with adjacent industrial/commercial units. Whilst the caravans are visible from the footpath which runs along the bank of the watercourse, the caravans do not represent unduly obtrusive features and do not significantly harm the overall visual amenity of the area. Due to the varied nature of the built form of First Drove, it is expected that different building styles and types are to be present, and as such, the proposal does not appear out of keeping.

There are residential properties abutting the Employment Area to the east, however the caravans cannot be seen from these areas and as such, do not cause harm to the visual amenities of occupiers of residential properties. The caravans do not detract from it due to the varied nature of both the application site and other buildings contained within the Eastern General Employment Area. As such, it is considered that the caravans are an acceptable element within the character of the wider area.

8 CONCLUSIONS

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The site is located within an identified General Employment Area, where ancillary uses to Use Classes B1, B2 or B8 are in principle acceptable;
- The proposed caravan for use as out of hours security will significantly improve the security of the site and surrounding area and has been supported by several of the premises surrounding and Cambridgeshire Police; and
- The caravans will not have a significantly detrimental impact on the overall character of the surrounding area.

9 RECOMMENDATION

The Head of Planning Services recommends that this application is **APPROVED** subject to the following conditions:

- C1 The caravans shall be used for storage, offices and security accommodation ancillary to the premises known as Bikes, Trikes 'n' Stuff, First Drove; and for no other purpose (including any other purpose within Class B2, B8 and C3 of the Schedule to the Town & Country Planning (Use Classes) Order 1987) (or any provision equivalent to that class in any statutory instrument revoking and re enacting that Order with or without modification), notwithstanding the provisions of the Town & Country Planning (General Permitted) Development Order 1995 (or any statutory instrument revoking and re enacting that Order).**

Reason: In order to protect the amenity of the area, in accordance with Policy DA2 of the Peterborough Local Plan (First Replacement).

Copy to Councillors Collins, Goldspink, Todd