Design and Access Statement.

Temporary retention of storage container, Royd Hill Farm, Royd Lane, Higham

CONTEXT

Physical context

The Surrounding Area

The site lies just beyond the edge of Higham village, and forms part of a former farmstead which has been subdivided to form three plots. Two of these contain barns which have been converted to dwellings, one of which, The Laithe, adjoins the applicant's property and is a listed building.

The Site

The property comprises a dwelling with extensive curtilage to the north. The land sloped steeply up from the original farmhouse, and an area was excavated to enable the construction of an extension. The land beyond contains piles of stone and other materials to be used in connection with the construction of boundary and retaining walls, and a number of temporary structures including a mobile home, portacabin and two steel containers. The site is bounded to the north and east by country lanes, and to the west by the curtilage of The Laith. Adjacent to the northern boundary and for part of the eastern boundary are small trees providing some screening. Directly to the south of the house is a large courtyard with high walls on two sides. The applicant also owns a part of this area, adjoining the walls

The Business.

The applicant has operated a business known as Lasting Impressions Yorks Ltd. For the last 9 years. The firm provides patterned and coloured concrete for drives, patios and paths. The process is wholly carried out at the customer's site, with ready mix concrete delivered there on the day. Colouring and sealant in bags is normally picked up on the day for each individual job. The concrete is then coloured, laid and then mats applied to create the desired pattern. Two men are also employed, and they go directly to the work site.
Prospective customers are all visited at their home to provide a quote. The only business activities that take place on the application site are secretarial work by the applicant's wife, the storage of equipment in the steel container, and the parking of a van and a small pick up truck. The tools stored include a concrete mixer, concrete breaker tools, mats to imprint, waker plates (vibrator to compact hard core), still saw, and jet wash. These need to be locked securely away as they are not covered by insurance if they are left in the van, and a set of tools were stolen when kept at the previous premises. For the first seven and a half years the business was carried out from the applicant's former house at 20, Sunny Bank Drive, Cudworth, without any complaints from their neighbours.

History

Planning permission was granted in 2008 for the subdivision of the farmstead into three units, with the conversion of two barns to dwellings, and an extension to the farmhouse. The conversions have been carried out and the farmhouse extended. However, a major dispute has arisen over boundaries and access rights which has been ongoing for over

two years and remains unresolved. As a result the applicant has been unable to access the courtyard and originally defined parking areas, and is obliged to park on the exposed, northern part of his site. In 2008 an application to build annexes for the three properties within the courtyard area was refused.

Temporary planning permission for a steel container to be used in connection with the applicant's business was granted in June 2010, for a period of 18 months. The decision notice gave as the Reason for granting permission "In accordance with PPS7 Sustainable Development in Rural Areas encouragement is given to sustainable diversification of the rural economy provided that it does not conflict with the principles set out in PPG2 Green Belts. Given that this is a temporary permission the GB principles will not be harmed."

Apart from the container the subject of this application, the temporary structures on the northern part of the site were used in connection with the building works on the site. The applicant is currently trying to sell the mobile home and portacabin, and hopes to have them removed within two months. A second steel container is used for housing a mini-digger and other materials and equipment which are being used on site to complete building works. A red brick wall has to be replaced by a stone wall as a condition of the consent, and given the difference in levels that exist this will require excavation and a retaining wall built under the new wall. A further stone wall is proposed on the side boundary with The Laithe. In addition, further works are required to support the excavated area to the rear of the dwelling.

The Proposal

Consent is sought for a further two years to enable the business to survive until suitable garaging and storage can be provided on site. The applicant owns an area within the courtyard which was approved in an application in 2005 for the erection of garages. Thus the principle of erecting garages has been established. Unfortunately at present the ongoing legal dispute about access to the courtyard means that he has cannot be certain he will have access this way, and may have to consider direct access from the adjoining lane, through the high boundary wall to the courtyard. Until this is resolved he cannot submit a detailed design for the garages. There will then be the consideration of the planning application, and erecting the building. Given the difficult legal situation a timescale of two years is considered to be realistic.

Planning policies

The following policies have been taken into account in the submission of this application.

National policies

Planning Policy Guidance Note 2 – Green Belts

Planning Policy Statement 4: Planning for Sustainable Economic Growth

PPS 7 Sustainable development in rural areas
"Planning authorities should support a wide range of economic activity in rural areas".

PPG18 Enforcing Planning Control

Local policies

The following policies were considered to be relevant when producing the design for this development: CSP 21, CSP 29, CSP 30, and CSP 34.

DESIGN OF THE SCHEME

Use

This is a very small scale business use, of a type that can normally be carried out from a residential property without causing any problems to surrounding properties, as indeed it was for many years in Cudworth. Circular 03/2005 - Changes of Use of Buildings and Land deals with working from home. It advises that planning permission for working at home is not usually needed where the use of part of a dwelling house for business purposes does not change the overall character of its use as a residence. The only reason that the character of this site goes beyond this level at present is that a secure storage container is needed. In the future it is expected to be able to provide a garage on site, when the tools will then be able to be securely stored in the van.

Planning Policy Statement 4: Planning for Sustainable Economic Growth advises that "Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development". Planning Policy Statement 7 - Sustainable development in rural areas, advises that "Planning authorities should support a wide range of economic activity in rural areas". Planning Policy Guidance Note 18 - Enforcing Planning Control, advises that "If formal enforcement action is likely to compel a small business or self-employed person to relocate their trading activities, the LPA should aim to agree on a timetable for relocation which will minimise disruption to the business and, if possible, avoid any permanent loss of employment as a result of the relocation." Thus national policy supports such small businesses, and advises that all reasonable attempts are made to retain them. This business employs four people. It is struggling in the present economic climate, and could not survive if rent had now to be found for alternative premises.

Appearance

While the steel container may not be suitable for this particular location in the long term, it is relatively small, sited adjacent to a second container that will be retained for use in connection with building works on the site for some time, and be partially screened by boundary shrubs and trees. It is sited a considerable distance from the listed building and so has a minimal impact on its setting.