

**PLANNING
COMMITTEE**

10th August 2011

PLANNING APPLICATION 2011/186/FUL

RETROSPECTIVE APPLICATION - INSTALLATION OF A PORTACABIN

LAND AT WINYATES GREEN ALLOTMENTS, FURZE LANE, REDDITCH

**APPLICANT: MR L CLARKE
EXPIRY DATE: 6TH SEPTEMBER 2011**

WARD: WINYATES

The author of this report is Steven Edden, Planning Officer (DC), who can be contacted on extension 3206 (e-mail: steve.edden@bromsgroveandredditch.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

The Winyates allotments are located at the end of Furze Lane. Immediately to the north of the allotment boundary lies a gravelled car park and turning area, also accessed via Furze Lane. To the east lie number 15 Furze Lane, and properties 6, 7, 8, 9, 10 and 11 Jays Close whose rear gardens face towards the allotments. An 8 metre wide grassed area forms a 'buffer' between the edge of the allotment boundary and rear close board fencing serving the above properties in Jays Close and number 15 Furze Lane.

Proposal Description

This is a full (retrospective) planning application for permanent consent to erect a rectangular portacabin. The portacabin has been on the site for several months. The structure would accommodate a meeting room, small kitchen and a single disabled toilet. The portacabin measures 9.8 metres in length and 3 metres in width with a height of 2.6 metres. The portacabin has 'khaki' green coloured paint applied to it. The building is situated 2 metres in from the allotment boundary line to the east. Together with the presence of the 8 metre wide 'buffer' strip, the building would be 11 metres away (at its nearest point) from the closest property – number 15 Furze Lane, further to the east. The northern side of the portacabin runs parallel to fencing which separates the allotments from the car park to the north. A distance of 9.3 metres exists between the portacabin and the above fencing.

The applicant proposes to plant screening to the northern edge of the portacabin, attach a wooden pergola style structure and solar panel to the south facing elevation for energy generation should permission be granted.

Relevant Key Policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

**PLANNING
COMMITTEE**

10th August 2011

www.communities.gov.uk
www.redditchbc.gov.uk

National Planning Policy

PPS1 Delivering Sustainable Development

Borough of Redditch Local Plan No.3

B(BE).13 Qualities of Good Design
B(BE).22 Temporary Buildings and Uses

SPDs

Encouraging Good Design

Other relevant corporate plans and strategies

Redditch Sustainable Community Strategy (SCS)

Relevant Site Planning History

None

Public Consultation Responses

None received

Consultee Responses

County Highway Network Control

No objection

Worcestershire Regulatory Services

No objection

Procedural matters

This application is reported to the Planning Committee at the request of the Head of Planning and Regeneration.

Assessment of Proposal

Principle of development

Policy B(BE).22 of the Local Plan should be given careful consideration in the determination of this application since this policy deals specifically with proposals for temporary buildings such as portacabins. The policy states that temporary buildings should only be granted consent in exceptional circumstances and where it is clear that the applicant's intention is to erect a permanent building (where the Council would expect that building to exhibit sufficient quality in its design and appearance to warrant a permanent consent). Where such a statement of intent has been received, or a planning application granted, temporary consents are allowed but for a maximum of

PLANNING COMMITTEE

10th August 2011

two years, after which time the structure would be expected to be removed, with the land re-instated to its former use or a permanent alternative provided.

Design and appearance

After careful consideration of this application, and having had particular regard to policies B(BE).13 and B(BE).22 of the Borough of Redditch Local Plan, your Officers have concluded that the application does not warrant a permanent or a temporary planning consent for the following reasons:

As confirmed in writing by the applicants, the portacabin is second hand and on close inspection has already deteriorated significantly in appearance, a process which will naturally occur more rapidly than with permanent buildings. The building has been obtained by the Winyates Green Allotment Association through national lottery funding and the applicant has confirmed that funding would not be in place to site a permanent building of say brick and tile construction on the site. Under the terms of Policy B(BE).22 above, Officers do not consider that it would be reasonable to grant a temporary two year consent in the circumstances. Your Officers consider that granting a temporary two year consent is highly likely to lead to an application to renew that consent in August 2013. At this juncture, Officers would refer Members to the Town and Country Planning Act 1990 which states that a building would become immune from enforcement action if it can be proven that it has been in-situ for more than four years. This may therefore lead to a permanent consent for a building which, by virtue of its design and appearance would in the opinion of your Officers cause demonstrable harm to the character and appearance of the area. The nature of such a temporary building means that its deterioration through wind, rain, snow and damp will be hastened due to its thin walls, flat roof and lack of proper foundations.

Exploration of other options

The aspirations of the Winyates Green Allotment Association in their supporting statement who comment that the building would be used as a meeting point for food growers to share ideas is laudable, and meets with the vision and aims of the Redditch Sustainable Community Strategy in promoting community cohesion. However, Officers are aware that a meeting room to the northern side of Furze Lane exists at a point just 50 metres due east of the allotments boundary. The association states that the use of this room was explored but was either difficult to book or too expensive to hire.

Impact upon residential amenity

The proposal would not give rise to a loss of privacy to the nearest residential dwelling and any noise emanating from the portacabin is unlikely to be materially greater than that arising from the use of the allotment plots themselves. However, the portacabin is visually prominent from first floor windows – particularly those of number 15 Furze Lane.

**PLANNING
COMMITTEE**

10th August 2011

Highway Implications

There are no highway implications since a large car park exists 10 metres to the north of the portacabin. County Highway Network Control raise no objection to the proposal.

Conclusion

As a permanent building, the portacabin, by reason of its design and appearance would detract from and harm the visual amenities of the area particularly when viewed from the adjacent car park to the north of the allotment boundary. The granting of a temporary consent in this case is more likely than not to lead to renewal applications leading to the buildings permanence. Under the terms of the Councils adopted Temporary Buildings and Uses Policy B(BE).22 the application is recommended for refusal.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the reason below:

1. The portacabin, by reason of its design and appearance detracts from the character and appearance of its surroundings, harming the visual amenities of the area. The development is therefore contrary to Policies B(BE).13 and B(BE).22 of the Borough of Redditch Local Plan No.3