

| | | |
|---|---|--|
| Agenda Item A10 | Committee Date 12 November 2018 | Application Number 18/01216/FUL |
| Application Site Greenfingers Allotment Smithy Lane Heysham Lancashire | | Proposal Part retrospective application for the retention of a metal storage container, retention of hardstanding and erection of a polytunnel |
| Name of Applicant Mrs Dorothy Kirkley | | Name of Agent N/A |
| Decision Target Date 21 November 2018 | | Reason For Delay N/A |
| Case Officer | Mrs Kim Ireland | |
| Departure | No | |
| Summary of Recommendation | Approval | |

(i) **Procedural Matters**

This form of development would normally be dealt with under the scheme of delegation. However, the land is in the ownership of Lancaster City Council and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The allotment site which forms the subject of this application is located on the southern side of Smithy Lane, due west of Heysham Village and approximately 0.5 miles from Half Moon Bay and Heysham Sands. The site lies on an incline rising from west to east towards the rear of the properties located on Delamere Avenue and covers approximately 1.04 hectares in area. The site is screened and characterised by its boundary treatments which include well established and mature vegetation along northern western and southern boundaries.
- 1.2 The allotment was established in 2011. Vehicular access to the site is gained on the outside of a bend of Smithy Lane towards the north western corner of the site. The site access has a 1 metre high stone wall on either side with two 2m high green powder coated steel gates set back 3m from the highway.
- 1.3 The surrounding area is predominantly residential in character, however, beyond the southern boundary is a vast area of treescape and rough land which separates the site and the Port of Heysham Industrial Estate. There is an elevated footpath adjacent to Smithy Lane which links the allotment site to the surrounding residential properties.
- 1.4 The allotment site is allocated as 'Key Urban Landscape' within the Lancaster District Local Plan proposals map and adjoins a designated Biological Heritage Site (BHS).

2.0 The Proposal

- 2.1 The application is applying for part retrospective application for the retention of a metal storage container, retention of hardstanding and erection of a polytunnel.

- 2.2 The metal storage container is sited to the west of the site, adjacent to the hardstanding that is used for the parking of vehicles. It has a length of 6.2m, 2.4m in width and 2.9m in height. The metal storage container is finished in a juniper green paint.
- 2.3 The hardstanding is laid to the west of the site and is situated between the entrance of the allotment and the metal storage container. It has a maximum length of 24.5m and a maximum width of 15m. The hardstanding is made up of blue slate chippings, however more is proposed to be laid, as the existing blue slate chippings have become sparse.
- 2.4 The proposed polytunnel is to be sited to the west of the site, directly to the east of the hardstanding and the metal storage container. It will be 6m in length, 3.6m in width, 2.3m in height and will be made up of a galvanised steel frame, covered with a white opaque polytunnel plastic.

3.0 Site History

- 3.1 There is one planning application which relates to the Greenfingers Allotment, which is listed below:

| Application Number | Proposal | Decision |
|--------------------|--|-----------|
| 11/01171/FUL | Placement of Steel Container, erection of a timber building and creation of pathways and hard standing | Permitted |

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and non-statutory consultees:

| Consultee | Response |
|------------------------|--|
| Heysham Parish Council | No comments received during the statutory consultation period. |
| Public Realm Officer | No comments received during the statutory consultation period. |
| Property Services | No comments received during the statutory consultation period. |

5.0 Neighbour Representations

- 5.1 No correspondence has been received at the time of compiling this report. Any comments subsequently received will be reported verbally.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 11 – Presumption in Favour of Sustainable Development
 Paragraphs 124 and 127 – Requiring Good Design

6.2 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations DPD; and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs were submitted to the Planning Inspectorate on 15 May 2018 for independent Examination, which is scheduled to commence in early January 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council in mid-2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2017, it is considered that

the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Development Management DPD

DM25 – Green Infrastructure

DM28 – Development and Landscape Impact

DM35 – Key Design Principles

6.4 Saved policy Lancaster District Local Plan

E31 - Key Urban Landscape

7.0 Comment and Analysis

- 7.1
- Principle of Development
 - Design and Impact on Character of the Area

7.2 Principle of Development

The site is located within the urban area of Heysham, it is currently used as allotment gardens. Therefore it is within a sustainable location that the provision of new allotment facilities and other food growing places are encouraged, where opportunities arise and a clear need is demonstrated.

7.2.1 Policy DM25 states that allotments are an important element of open space and offer a significant range of benefits for people, communities and environments. They provide recreational value, contribute towards the urban landscape, support local biodiversity, contribute towards physical and mental well-being, provides the opportunity to grow fresh produce and contributes towards a healthy lifestyle that is active, sustainable and socially inclusive.

7.2.2 Therefore the principle of the retained metal storage container, hardstanding and the proposed polytunnel is looked upon favourable as they respectively provide storage for site tools, parking and an allotment that can be used by members of the allotment community.

7.3 Design and Impact on Character of the Area

The DPD Policy DM35 states that new development should make a positive contribution to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separating distances, orientation and scale. DM35 carries on to say that development should make a positive contribution to the surrounding landscape or townscape and that it should ensure that there is no significant detrimental impact in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.

7.3.1 The DPD Policy DM28 also states that the development proposals should, through their siting, scale, massing, materials and design seek to contribute positively to the conservation and enhancement of the protected landscape. In considering policy, this [proposal must have regard to the container, hardstanding and polytunnel separately and cumulatively.

7.3.2 Metal Storage Container

The metal storage container was granted planning permission in 2012 for a temporary period of five years. This was due to the temporary nature of the container and materials were thought to be inappropriate on a permanent basis in this location. Since this time there has been a new

appointment of Secretary at Greenfingers Allotment, who was unaware of the condition that was imposed onto the previous application to remove the metal storage container from site by 2nd April 2017. Consequently planning permission is sought for a further temporary period of five years, while sufficient funding is raised for a permanent building.

7.3.3 Given that the building is used for the storage of site tools that are used by members of the allotment community and that there are no other buildings within the site that are available and could provide secure storage. It is thought that in this case the metal storage building can be viewed favourably, however given that the storage building has been in situ for six years already, it is thought that a temporary period of two years is adequate. This is to provide time for sufficient funding to be raised for a permanent building that would be in keeping and suitable with other buildings that are located within the allotment.

7.3.4 The metal storage container when viewed from nearby roads and residential properties is not seen to have an adverse visual impact. This is mainly due to the colour of the metal storage container that blends in with the grassed surrounding and the mature vegetation along this western boundary. Furthermore it does not have any visual or overbearing impacts on the properties on Delamere Avenue. However it is noted that a metal storage container is not suitable on an allotment, due to the appearance of the container being appropriate on an industrial site and consequently a permanent building will be welcomed.

7.3.5 Hardstanding

The hardstanding areas allow for safe and ease of access when moving around the various plots and for the parking of cars. The layout is seen to be reasonable whilst limiting the amount of impact this could have on this area of Key Urban Landscape.

7.3.6 Polytunnel

The proposed polytunnel is seen to be in keeping with the surrounding chattels and timber units that are located within individual plots and is not thought to be out of character with the overall allotment. Furthermore it does not have any visual or overbearing impacts on the properties on Delamere Avenue.

8.0 Planning Obligations

8.1 Given the nature of the proposal there are no requirements for a legal obligation.

9.0 Conclusions

9.1 The part retrospective application for the retention of a metal storage container, retention of hardstanding and erection of a polytunnel is within a sustainable location where the provision of new allotment facilities and other food growing places are encouraged.

9.2 The retention of the metal storage container can be viewed favourably, as it is used for site tools that are used by members of the allotment community and there are no other buildings within the site that are available and could provide secure storage. However it is suggested to give consent for a temporary period of two years, while funding is sought for a replacement permanent building, as a metal storage container is not suitable or in keeping on an allotment site.

9.3 It is considered the retention of the hardstanding, with the proposal to lay additional hardstanding and the proposed polytunnel are of a simple design and style that is in keeping with the scale of the allotment. The proposed works are not thought to have a detrimental impact to the residential amenities of Delamere Avenue, given they are all situated to the far west of the site, that is the furthest point away from the residential properties.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development to accord to approved plans

3. Removal of metal storage container after a temporary period of two years

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None