

Location:

**Land at Norton Common
Icknield Way
Letchworth Garden City
Hertfordshire**

Applicant:

John Baskerville

Proposal:

**Installation of storage shipping container adjacent to
bowling green car park.**

Ref. No:

20/03073/FP

Officer:

Anne McDonald

Date of expiry of statutory period : 08.03.2021

Reasons for Delay

Officer workload and Committee cycle

Reasons for referral to Committee

This planning application is reported to the Planning Control Committee as it has been called in by Cllr Ian Mantle as he takes a different view from the officers and considers that the proposed development is not appropriate in this location.

1.0 Policies

Saved Policies from the Local Plan 1996:

- 8 – Development in Towns.

Emerging Policies from the Submission Local Plan 2011 – 2031:

- D1 – Sustainable Design;
- NE1 – Landscape.

2.0 Site History

2.1 There is no relevant planning history for this proposal.

3.0 Representations

3.1 The application has been advertised with a site and press notice. No third party replies have been received.

3.2 Cllr Mantle has objected to the application and called the application in to Planning Control Committee for determination stating:

"I am concerned about this application, and if you are minded to grant, I would wish it to be referred to the Development Control Committee, on grounds of visual amenity and inappropriate relation to the surrounding area".

- 3.3 The case officer contacted Cllr Mantle to seek a view that if the container were to be recommended with a condition limiting the permission to a three year temporary permission and a further condition requiring planting around the container to further screen it, if he still wished for the application to be presented to Committee. Cllr Mantle responded that he finds the container unacceptable and in principle and he still wished for it to be presented to Committee for determination.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is on the north side of Icknield Way, at the west of the bowls club car park. There is a small area of shrubs and trees between the end of the car park and a footpath linking from Icknield Way to the bowling club and the container is to be located within this small shrub area. The area is land owned by NHDC.

4.2 **Proposal**

- 4.2.2 This is a full application seeking permission for the positioning of a shipping container to be used by the 'Friends of Norton Common' as a tool shed. The plans show that the container is to be just under 2.5m wide and just over 3m in length and 2.5m in height. It is to be dark green in colour.
- 4.2.3 A statement has been submitted in support of the proposal, setting the need for this tool shed. It states:

The first mention of a Friends Conservation Task was Thursday 7th of August 2008. There had been conservation work on Norton Common before that date, but that was organised by Countryside Management Services from their base in Ickleford. When we first organised our own Tasks, we had to go to CMS in Ickleford on the Wednesday to collect tools, and return them on the Thursday after the Task. As we had no way of knowing how many people would turn up there were occasions when we simply didn't have enough, and had to disappoint volunteers.

The big change came when Andrew Mills of NHDC gave us a truck no longer needed by the Council to carry our tools around the Common. He also identified a possible site for a shed next to the Bowls Club Pavilion with gates on the front. We purchased a plastic garden shed, and on the 7th of April 2011, this was forcefully installed in the gap in the pavilion. Having the shed meant we could buy our own tools, keep them on the Common, and move them to our different Task sites very easily.

As time went by, we obtained and were given, a lot more tools, so that we now have some twenty loppers, over twenty bow saws, pole saws, post drivers, strimmers, crones, rakes, brooms, forks, spades, bill-hooks, scythes, sickles, helmets, goggles, a crowbar, posts, gloves, tree protection and hi-viz jackets. As you can see from the photo, the shed has now burst its sides. Because the shed is so narrow, to get anything out of the back involves getting everything out of the front. Also, because the truck has to be accommodated in front of the shed, to get anything out of the shed involves first removing the truck.

As NHDC will before very long need the space currently occupied by the shed to gain access to the roof of the pavilion for repairs, then this seems an opportune moment to relocate.

It is important that the shed is on-site and easily accessible so that we can get more or different tools part-way through the day, should the weather change, the stream flood or a path require clearing.

We therefore set out to find an alternative site on or very near to the Common. Approaches were made to local organisations, businesses, residents, volunteers, and the local authority to ascertain whether they had a suitable building or somewhere to locate one.

The nearest were the Bowls Clubs. Both have pavilions nearby, as well as sheds used for storage. We discovered that none of these had any spare capacity suitable for our purposes.

The open-air swimming-pool has a large site on the east side of the Common, and is closed during the Autumn and Winter, when our activities are at their peak. They do have a small storage shed on site, but access to this would be necessarily complicated, via the skip-bay adjacent to the swimming-pool car-park. This difficult access precludes use of their site. The swimming-pool car-park is very well used, and therefore unlikely to sacrifice space for a shed.

McFadyen-Webb House, on the entrance to the Common from Norton Way North have quite extensive car-parking, but again were reluctant to give any of this up.

On several boundaries, private houses and gardens back on to the Common, in Cowslip Hill and Hawthorn Hill, for example. Those residents asked were unhappy about having a large structure in their garden, and the security issues raised by there having to be a wide gate in their back fence.

All local residents and volunteers on our database were also sent an email asking if anyone could offer a site and again, no one offered a suitable site.

Lock-up garages were considered, but there are none within easy reach of the Common.

The Settlement, in Nevells Road was also contacted, but had no spare space within their building, and were unwilling to give up any of their car-park.

Having exhausted local opportunities involving outside agencies, we turned our attention back to the area closest to the existing shed, with its advantages of accessibility. We looked at the bush-covered area to the west of the Bowls-Club car-park, opposite Cross Street, and feel that this could easily accommodate a container, 10' x 8' x 8.5', (see photos below). Painted dark green and surrounded by existing and additional planting, we feel this would soon blend in.

4.3 Key Issues

- 4.3.1 Emerging Policy D1 states that planning permission will be granted provided that development proposals 'responds positively to the site' local context' and emerging

Policy NE1 states that planning permission will be granted for development proposals that:

- a) respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management;
- b) do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this;
- c) are designed and located to ensure the health and future retention of important landscape features; and
- d) have considered the long term management and maintenance of any existing and proposed landscaping.

4.3.2 The site area is a small area of shrubs and bushes adjacent to the car park and whilst on Norton Common, is close to the existing 'built' part of the common with the bowls club and car park. I consider that the Friends of Norton Common group have set out a compelling argument to justify the need for the tool shed and why they have come to settle on this location.

4.3.3 I consider that the location is suitable for this structure. In views from Icknield Way there is an existing hedge which will substantially screen the container. The existing trees and shrubs in which the container is to be sited will also help to screen it. The dark green colour plus additional planting around it will help it to blend into the locality. Yes, initially it will be apparent, but in time as the landscaping grows up and around it I do not consider that it will stand out or have adverse visual harm in the locality. I therefore consider that this proposal complies with the provisions of parts (a) and (b) of emerging Policy NE1 and no objection is raised.

4.3.4 The applicant is happy to accept a three year temporary permission which is to allow for consideration on how the container will weather over time to ensure that it stays dark green and will not appear rusty, which could cause it to stand out more.

4.4 **Conclusion**

4.4.1 Grant conditional planning permission with a three year temporary condition.

4.5 **Alternative Options**

4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

4.6.1 None applicable

5.0 **Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 **Recommendation**

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

1. The development hereby approved can only be sited for a temporary period of three years until 30/04/24.

Reason: To assess the appearance of the container over time.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. In the first planting season following the siting of the container, shrubs and climbing plants are to be planted around the three non-opening sides of the container.

Reason: To visually screen the container.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.