

23/00862/FUL

Mrs Kamile Gudleike

PENKRIDGE

Councillor Andrew J Adams
Councillor Samuel G Harper-Wallis

Goods Yard Goods Station Lane Penkridge ST19 5AU

Use of the site for the siting of containers for storage purposes

Pre-commencement conditions required:	Pre-commencement conditions Agreed	Agreed Extension of Time until
No	N/A	24 May 2024

1.0 SITE DESCRIPTION AND APPLICATION DETAILS

Use of the site for the siting of containers for storage purposes

Date of site visit - 14 November 2023

1.1 Site Description

1.1.1. The application site measures approximately 0.33 hectares and comprises of a long narrow strip of land which is accessed off Station Lane to the south and extends to the north with the railway line running alongside it to the west. Adjacent to the south and east are residential uses and the land to the north is currently open. There is a thick line of cypress trees along the western site boundary, beyond which is the railway line. Further to the west beyond the railway line are open fields in agricultural use. The site is situated on the north-western edge of Penkridge village.

1.2 The Proposal

1.2.0. It is proposed to use the site for the siting of containers for storage purposes. Each container is finished in a dark green colour and measures 6.06m in length, 2.44m in width and 2.26m in height. The plan submitted shows a line of containers extending to approximately 145m therefore the total number of containers would equate to approximately 58. Roughly half of the containers have already been placed on the land.

1.2.1. The units are expected to be rented by various occupiers but the total number of renters is predicted to amount to around 50. The site is proposed to operate 24 hours a day for 7 days per week and would be expected to be used for general domestic purposes/household items and business stock such as plumber's tools, furniture etc. The applicant has confirmed that no hazardous stock would be stored at the site.

1.3 SITE HISTORY

92/00418 Use of Land for Storage of Caravans 10th November 1992

93/00088 Certificate of Lawful Use for Storage Approve Subject to Conditions 1st September 1993

94/00983 Replace Wooden Store with Metal Storage Unit 10th January 1995

1.4 POLICY

Constraints

Within Penkridge Development Boundary:

Newt - Strategic Opportunity Area Name: West Staffordshire Pondscape (North):

Great Crested Newt Amber Impact Zone:

SAC Zone- 8km Buffer Zone

Policies

- Core Strategy

Core Policy 1: The Spatial Strategy for South Staffordshire

OC1: Development in the Open Countryside beyond the West Midlands Green Belt

EQ1: Protecting, Enhancing and Expanding Natural Assets

EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

EQ9: Protecting Residential Amenity

EQ10: Hazardous and Environmentally Sensitive Development

EQ11: Wider Design Considerations

Core Policy 7: Employment and Economic Development

EV12: Parking Provision

- NPPF

Chapter 6: Building a Strong Competitive Economy

Chapter 11: Making Effective Use of Land

Chapter 12: Achieving well-designed and beautiful places

Supplementary Planning Documents

Green Belt and Open Countryside SPD

1.5 CONSULTATION RESPONSES

All consultation periods have expired unless noted otherwise, and comments may be summarised.

Site Notice Expires	Press Notice Expires
5 December 2023	N/A

Councillor Andrew Adams - Penkridge North & Acton Trussell

No Response Received

Councillor Samuel Harper-Wallis-Penkridge North & A Trussell

No Response Received

Penkridge Parish Council

19th December 2023

Parish Councillors supported the comments made by both Network Rail and Residents

Environmental Health Protection

15th November 2023

Conditions are recommended in order to safeguard the amenity of nearby residential occupiers from undue disturbance.

Senior Ecologist - South Staffordshire

6th December 2023

I have reviewed the documents submitted with the application. I note that the majority of the site comprises hardstanding, and therefore it has limited ecological importance. I therefore have no objection to the proposal.

Arboricultural Officer Consultation

No Response Received

Planning Enforcement

No Response Received

County Highways

1st December 2023

Recommendation Summary: Acceptance

The proposed development is situated at the end of an unclassified road, subject to a speed limit of 30 mph. This is a residential road and only a short distance from the main road that runs through Penkridge. Storage of caravans has approval on this site.

Network Rail

21st February 2024

Following submission of further information, the signed Basic Asset Protection Agreement can be sent to the Council and the works are agreed.

22nd November 2023

Objects based on land stability matters and potential impact on the railway line. (Superseded by the above comments)

NatureSpace Partnership Newt Officer (Staffordshire)

No Response Received

Severn Trent Water Ltd

9th January 2024

No objections subject to conditions to secure foul and drainage plans. NOTE: we would not permit a surface water discharge into the public foul sewer, and recommend the applicant seeks alternative arrangements.

Contributors (key points)

Nicky And Mark Eddie **SUPPORTS**

Date Received 13.12.2023

I do not have any concerns regarding the use of containers being stored at the site. I have lived on the land for over twenty years where the containers are being stored, people that use the containers are respectful of others. I see the containers being delivered and it's not an issue.

Angela Selkirk **OBJECTS**

Date Received 05.12.2023

I am very concerned about this as it does not explain the amount of units being placed. What will be in the units and how they will be used i.e. extra traffic using Goods Station Lane. Also affecting the parking when

the activities are on at The Scout Hut. The caravans have been no problem but I think the storage units will cause lots of problems

Steven Field **OBJECTS**

Date Received 07.12.2023

- The applicant has stated the works have not started. This is clearly not true, as we are aware of tradesmen currently renting a container already on the site for painting materials storage.
- There is no indication of the total quantity of containers to cover the whole site. Dozens of containers will inevitably mean a significant increase in traffic from commercial renters. There is also no indication of whether containers will also be stacked vertically with access stairs, compounding traffic problems and view from adjacent residential properties.
- Goods Station Lane is a narrow village lane, and virtually every day is completely full of cars both sides of the road from daily events at the Boy Scouts premises. Large vehicles will have difficulty negotiating this lane, and more importantly, make the junction of Goods Station Lane with Levedale Rd and the A449 unacceptably more busy and more dangerous. Goods Station Lane has very limited visibility because of the green box.
- The considerable addition of vehicles would also contribute to extra air pollution, additional noise and night-time lighting for residents.
- The applicant is not proposing any facility to dispose of waste which could easily cause a contamination risk to neighbouring properties and children playing in the area.
- Because the site for new containers will most likely allow access to renters 24 hours per day, the hours of opening are very relevant to local residents because of night lighting, noise, disruption from traffic at any hour of the day or night.
- The Applicant has stated NO to the storage of hazardous substances. This will be completely untrue if commercial items of unknown toxicity or flammability are stored in the containers. The applicant cannot possibly know what substances will be stored in the containers, and could leak or cause a fire, with catastrophic consequences to local residents.

Colin Evans **OBJECTS**

Date Received 02.12.2023

Object due to increased heavy traffic, unknown contents and industrialising of a peaceful residential area.

Barry James **OBJECTS**

Date Received 02.12.2023

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- The considerable addition of vehicles would also contribute to extra air pollution, additional noise and night time lighting for residents.
- The applicant is not proposing any facility to dispose of waste which could easily cause a contamination risk to neighbouring properties and children playing in the area.
- Because the site for new containers will most likely allow access to renters 24 hours per day, the hours of opening are very relevant to local residents because of night lighting, noise, disruption from traffic at any hour of the day or night.
- The Applicant has stated NO to the storage of hazardous substances. This will be completely untrue if commercial items of unknown toxicity or flammability are stored in the containers. The applicant cannot possibly know what substances will be stored in the containers, and could leak or cause a fire, with catastrophic consequences to local residents.

George Elsmore **OBJECTS**

Date Received 04.12.2023

- The change of use has already started. There are more than a dozen containers already on site and some are in use.
- The application states that the hours of opening are not relevant to this application, but with 24-hour access this going to increase the level of disturbance to those of us living in the vicinity.
- The applicant has stated that there will not be hazardous materials stored on site. How will this be guaranteed?
- Nowhere does the application specify the number of containers to be on site. The current caravan storage facility generates some seasonal traffic - mostly at weekends, but general storage can be assumed to generate more frequent traffic which will be affected by the number of units in use.
- Goods Station Lane is already in a very poor state of repair with quite dangerous potholes at the top end near to the railway, which is where any increase in traffic will be concentrated.

Mr G.H. Allman **OBJECTS**

Date Received 08.12.2023

- The container part of the site is much more active than the caravan part, with most of the containers appearing to be occupied by businesses and some appearing to be used as small workshops. This application will effectively create a mini-industrial estate immediately adjacent to a residential area. This will subject local residents to increases in noise, disturbance and light pollution.

- The proposal will result in many more vehicle movements on Goods Station Lane, which will inevitably include vans and commercial vehicles; this is in contrast to the much less frequent use by cars to access the caravan storage. Goods Station Lane is now a residential road and includes access to the local Scout hut, a busy facility used predominantly by children and young people. The junction of Goods Station Lane, Levedale Road and Stafford Road is a complex one and already badly congested; an increase in traffic will make this situation worse and will affect safety at this junction.

C.P. Corcoren OBJECTS

Date Received 06.12.2023

There are approximately 13 plus containers already sited in the yard, which have been arriving throughout the summer months. Most of these containers are already being rented out and have been so for the last 4 months or more.

The access road is very narrow and now with the extra vehicular traffic is getting busy. The caravans did have limit times morning and evenings but I have been told this no longer applies. There should be for these containers and the caravans at least limit times mornings and evenings to lessen disruption to ourselves.

Mr Kevin Williamson OBJECTS

Date Received 07.12.2023

I wish to object to the planning permission for this site.

Reasons being the increased traffic visiting the site at any time as it states it's open 24 hours. How will this be lit at night? Extra noise with people loading the containers. Which started in the summer. What is being stored in these?

Installing unsightly containers without planning permission.

As the site is on ground higher than gardens the safety of retaining wall with more heavy vehicles using it.

Martin Ellis OBJECTS

Date Received 05.12.2023

These premises are directly behind my property. I can tell you from having to listen to the noise coming from behind my house they have been using it for these purposes for quite a long period of time, several months at least. Containers are loud and noisy at the best of times but there are far more things happening than just container storage. On many occasions we've heard noise from 8.00am through until gone 7.00pm, not just containers but other tools and machinery and many different voices including children.

If it was just simple container/caravan storage I wouldn't object as we are used to frequent noise coming from the railway line directly behind the Goods Yard, but the noise from the yard is quite often ridiculous.

Jane Johnstone OBJECTS

Date Received 08.12.2023

- National Rail raised concerns about subsidence and the placement of the containers. All of the gardens that back onto the site from Nursery Drive do not have a retaining wall from the road in the goods yard. My garden is 3-4 foot lower than the goods yard and I am very concerned about the weight of these containers and the vehicles delivering them.
- There are currently about 13 containers that have been delivered on site and some are in use already.

The caravans currently stored would be dropped off and collected and didn't lead to too much noise.

- We have been subject to loud noise early in the morning due to banging, sliding and voices, to find men standing on the back of vans unloading and looking straight into my house.
- Vehicles are often left running with petrol and diesel fumes filling the air.
- How will parking be managed if a few people are trying to access containers and having to wait for other to finish before they can gain access.
- I would also like to know how the potential storage of hazardous materials is going to be managed. Will there be checks on containers to assess that these items aren't being stored?
- Will lighting be added to the yard and will the yard be checked regularly for waste?

Colin And June Haywood **OBJECTS**

Date Received 06.12.2023

- The applicant has shown clear intent to by-pass planning rules by already installing a number of storage units on the land.
- The planned units, some installed, are much larger than caravans, so cause loss of light, they are green in colour but the large white lettering are an eyesore and a detriment to the site. The way they are installed reduces light.
- The storage of hazardous chemicals, explosives, inflammables is unsuitable especially within 30 meters of domestic housing.
- The site is raised and overlooks the gardens and in honesty the storage of caravans has caused few problems. But with much larger containers the traffic, overlooking of lorries would be far worse.

Mr And Mrs A Healey **OBJECTS**

Date Received 07.12.2023

The siting of container storage is inappropriate in a residential area. Such a unit would seriously increase the commercial traffic on a narrow residential no through road.

There would be increased noise disturbance should the site not have restricted usage time.

We are concerned about possible inappropriate chemical storage. We are also concerned about the upkeep of the site should such a change take place as boundary between the storage site and the railway has become an eye sore.

1.6 APPRAISAL

- Policy & principle of development
- Layout, design & appearance
- Access, parking & highway safety
- Residential Amenity

- Ecology & biodiversity
- Arboriculture
- Impact on railway line
- Hazardous Substances
- Human Rights

1.7 Policy & principle of development

1.7.1. Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made, in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for South Staffordshire District comprises the Core Strategy (2012-2028) and the Site Allocations Document (2012-2028).

1.7.2. Paragraph 123 of the NPPF advocates that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Core Policy 7 outlines general support for local businesses and measures to sustain and develop the local economy.

- Open Countryside

1.7.3. The site is situated in the Open Countryside which is protected for its own sake, particularly for its landscapes, areas of ecological, historic, archaeological, agricultural and recreational value. In accordance with Policy OC1, development within the Open Countryside will be restricted subject to a number of exceptions. One of the exceptions listed within OC1 is the making of a material change of use of land, where the works or use proposed would have no material effect on the appearance and character of the Open Countryside beyond the Green Belt.

1.7.4. In 1993 a Lawful Development Certificate was granted for the use of this site for storage purposes, and aerial photographs demonstrate that there have been caravans stored on the land consistently since at least 2003. On that basis, this proposal could not be considered to be a 'change of use' even though the size and height of the containers are similar to that of the caravans that were previously stored on the site. The containers proposed are of a permanent nature and are not mounted on wheels unlike the caravans that previously occupied the site (and still do in part). Hence, they must be treated as 'buildings' for the purpose of this application. Policy OC1 sets out a presumption against new buildings within the Open Countryside. Consequently, whilst this proposal would continue a longstanding storage use, the proposal is technically contrary to Policy OC1.

1.7.5. That being said, the longstanding and lawful use of the site for caravan storage is considered to be an important consideration. Whilst the site technically sits within the Open Countryside, it is a narrow strip of hard-surfaced land which sits between residential uses and the railway line. On that basis there is unlikely to be a significant impact on the character and appearance of the landscape. The impact on the landscape is considered further within section 1.8 of this report.

- Spatial Strategy

1.7.6. Core Policy 1 (or 'CP1') aims to direct growth at the most accessible and sustainable locations within the District in accordance with the settlement hierarchy set out in the policy. Penkridge is a Main Service Village and is therefore one of the areas that is intended to be a focus for housing growth and employment development. Whilst the site is within the Open Countryside, the eastern site boundary forms the edge of the Development Boundary and the development sits on a narrow strip of land between

residential uses and the thick line of trees that form the edge of the railway line. The site is on the edge of the village and is close to the highway network. As such, the site is considered to be sustainably located.

1.8 Layout, Design and Appearance

1.8.0. Policy EQ4 states that the rural character and local distinctiveness of the landscape should be maintained and where possible enhanced. The policy goes on to state that new development should not have a detrimental impact on the immediate environment and any important medium and long-distance views. Policy EQ11 requires that designs take into account local character and distinctiveness, including that of the surrounding development and landscape. Development should take every opportunity to create good design that respects and safeguards key views and visual amenity. Paragraph 135 of the NPPF requires that development functions well, adds to the overall quality of the area and is sympathetic to the surrounding built environment and landscape setting.

1.8.1. The containers extend to a height of 2.26m and are positioned in a line along the western site boundary, behind the existing two storey brick building and hedge at the front of the site which screen the development. In the northern portion of the site there are still caravans and motorhomes stationed on the land. There are also four containers situated next to the northern site boundary which appear to have been in-situ for quite some time. There is a substantial line of cypress trees along the western site boundary which screen the development from wider view.

1.8.2. The dwellings immediately to the east are screened by a combination of fencing and hedging. Further north, where the eastern site boundary faces the recent housing development, the boundary is secure but visually open, comprising of a combination of barbed wire, concrete posts and corrugated sheeting. At the site visit the applicant advised that they intend to seek permission to erect a new boundary fence along this edge of the site to improve the appearance of the site.

1.8.3. Although the site sits within the Open Countryside, it is a narrow site physically constrained on one side by housing and the other by the railway line and associated trees. The portacabins that have been installed are lower in height than the caravans they have replaced and are less intrusive visually due to their dark green colour. In addition, the site was already covered over with hardstanding and there has been no loss of vegetation or greenery as a result of the development. Taking into consideration the previous use of the land and the limited visibility of the site from wider view, it is considered that there would be no material harm to the character and appearance of the landscape or the street-scene, thereby complying with policies EQ4 and EQ11.

1.9 Access, Parking & Highway Safety

1.9.0. Policy EV12 sets out the Council's parking requirements. In line with paragraph 115 of the NPPF, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

1.9.1. Local residents have raised concerns about how much additional traffic would be generated by the use as the road is understood to be congested on days when the Scout hut is in use. The premises would continue to use the existing access off the end of Goods Station Lane and there is ample room on site for parking, both in the front portion of the site and alongside the portacabins therefore there should be no on street-parking as a result. The County Highways Officer notes that the development is situated at the end of an unclassified road which is subject to a speed limit of 30 mph. This is a residential road and only a short distance from the main road that runs through Penkridge. In addition, the site has previously been lawfully used for the storage of caravans. On that basis there are no undue concerns arising in respect of highway safety.

2.0 Residential Amenity

2.0.1. In accordance with Local Plan Policy EQ9, all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight.

2.0.2. The nearest residential properties are situated in Goods Station Lane and Nursery Drive. The dwellings closest to the front portion of the site face towards the site and share the vehicular access off Goods Station Lane. The dwellings adjacent to the central portion of the site face away from it with their gardens adjoining the western site boundary. The rear elevations of the properties within Nursery Drive are situated at a distance of approximately 11m from the adjoining site boundary. A number of residents have raised concerns regarding noise and disturbance, lighting and contamination risk through the potential storage of hazardous substances.

2.0.3. The applicant has provided additional information regarding the use via email since the original submission. They cannot specify exactly how many people would rent the units as some tenants may rent more than one unit, however they envisage that the 60 No. units could be rented by approximately 50 people and the items to be stored would be mainly household goods and business stock (for example, plumber's tools etc). The Council's Environmental Health Officer has reviewed the application and has raised no objections on the grounds of residential amenity subject to conditions to limit use of the site to certain hours and to prevent burning and use of audible equipment outside of those hours. Despite the operation being proposed for use 24 hours a day, given its location it is considered reasonable and necessary to restrict the hours of operation. This can be successfully achieved by way of appropriately worded planning condition.

2.0.4. Whilst the proposal has the potential to generate more visitation to the site than the caravan use, periods of activity on the site are unlikely to be prolonged as tenants would unload or load stock and then leave the site. Subject to the conditions suggested by the Environmental Health Officer the use would be limited to daytime only, on that basis there is unlikely to be a significantly detrimental impact on residential amenity by way of noise or disturbance during the evening. It is worthy of note also that the railway line sits on the other side of the site which would already generate a regular pattern of noise. Moreover, given the modest height of the containers there would be no harm to neighbouring properties by way of loss of light, overshadowing or loss of outlook. The proposal is therefore considered to comply with Policy EQ9 subject to conditions to restrict operating hours and to prevent the installation of any lighting without consent.

2.1 Ecology, Biodiversity and Arboriculture

2.1.0. Protected Species - The Wildlife and Countryside Act (as amended) 1981 covers the protection of a wide range of protected species and habitats and provides the legislative framework for the designation of Sites of Special Scientific Interest (SSSIs). The Conservation (Natural Habitats, &c.) Regulations 1994 implement two pieces of European law and provide for the designation and protection of 'Special Protection Areas' (SPAs) and 'Special Areas of Conservation' (SACs), together with the designation of 'European Protected Species', which include bats and great crested newts. The Countryside and Rights of Way (CROW) Act 2000 compels all government departments to have regard for biodiversity when carrying out their functions. Finally, The Protection of Badgers Act 1992 consolidated existing legislation on the protection of badgers. This legislation is intended to prevent the persecution of badgers. The act protects both individual badgers and their setts.

2.1.1. Biodiversity - To comply with the guidance contained within Paragraphs 9, 108 and 118 of the NPPF

and the Council's biodiversity duty as defined under section 40 of the NERC Act 2006, new development must demonstrate that it will not result in the loss of any biodiversity value of the site.

2.1.2. Impact on Special Areas of Conservation - Paragraph 188 of the NPPF advises that "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

2.1.3. Paragraph 186 of the NPPF advises that permission should be refused for development resulting in the loss of aged or veteran trees, unless the benefits of the development outweigh the harm. Strategic Objective 3 and 4 seek to protect, conserve and enhance the District's natural environment, whilst Policy EQ4 states that "The intrinsic rural character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced. Trees, veteran trees, woodland, ancient woodland and hedgerows should be protected from damage and retained, unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved"

2.1.4. Core Strategy Policy EQ1 states that permission will not be granted for development that would cause significant harm to sites and/or habitats of nature conservation including species that are protected or under threat.

2.1.5. As previously mentioned the site has been covered over with hardstanding for quite some time and there are no trees or hedgerows which would be affected by the development. The Council's Ecologist has reviewed the application and advises that due to the majority of the site comprising of hardstanding it has limited ecological importance, subsequently no objections are raised. NatureSpace have also been consulted who consider that the development is unlikely to have an impact on Great Crested Newts and/or their habitats. Given that the development is within the amber Impact Risk Zone, as modelled by district licence mapping, and there are newt records in the wider area, an informative is recommended. On that basis there are no concerns arising in respect of ecology biodiversity or arboriculture, consequently there is no conflict with Policy EQ1.

2.2 Impact on Railway Line

2.2.1. As previously mentioned the site shares a boundary with the railway line to the west and is separated from the line by a tall line of cypress trees. Network Rail initially lodged an objection to the proposal due to concerns regarding the weight of the containers and any resultant impact on the line. However they have since met with the applicant and are satisfied that the development will have no adverse impact on the railway line. The applicant has provided a copy of the Basic Asset Protection Agreement that has been agreed between Network Rail and the applicant which sets out the terms for protection of the railway line. On this basis there are no objections from Network Rail.

2.2.2. In terms of site levels, a neighbouring occupier has raised concerns regarding potential for land to slip back into their garden, since there is no retaining wall on the adjoining site boundary. The application does not propose any works to the existing hard-surfacing and the containers are situated around 3m away from the boundary with the residential properties.

2.3. Hazardous Substances

2.3.0. A number of residents have raised concerns about the potential storage of hazardous substances in the containers. There is understood to be a separate consent regime for hazardous substances and this would

also be covered by health and safety legislation. However the applicant has confirmed that no hazardous substances would be stored on site. A condition could also be added to prevent any such storage.

2.4 Human Rights

2.4.0. The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report in having regard to the representations received and, on balance, is justified and proportionate in relation to the provisions of the policies of the development plan and national planning policy.

2.5 CONCLUSIONS

2.5.0. The site is located within the Open Countryside, a valued landscape, where there is a presumption against development subject to a number of exceptions. However given the longstanding use of the site for caravan storage, the proposal for the siting of containers is considered to be acceptable in principle. Given the physical constraints immediately surrounding and the hard-surfacing that characterizes the land, the site is not considered to be particularly sensitive in term of landscape value and is well screened from wider view, thereby resulting in no undue harm to the character and appearance of the Open Countryside.

2.5.1. It is considered that there would be no undue harm to neighbouring amenity subject to conditions to limit the site to certain operating hours, to prevent additional lighting being installed and to prevent dust and noise. In addition there would be no adverse effect on the street scene, parking provision or highway safety. The proposal is therefore considered compliant with both national and local planning policy and associated guidance, consequently approval is recommended.

RECOMMENDATION - APPROVE Subject to Conditions

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.
3. Unless otherwise agreed in writing by the Local Planning Authority, within one month of the date of this decision, drainage plans for the disposal of foul and surface water shall be submitted to and approved by the Local Planning Authority. Thereafter the drainage scheme shall be implemented in accordance with the approved details within 6 months of the date of this decision and maintained for the lifetime of the development.
4. Access to the site for visitors/users of the containers shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
5. There shall be no burning of materials on site at any time.
6. Any equipment which must be left running outside the allowed working hours as outlined in condition 4 shall be inaudible at the boundary of occupied residential dwellings.

7. The permission hereby granted does not grant any consent for the installation of any means of external lighting on the site or the building.
8. There shall be no stacking of containers or external storage at any time and the containers hereby approved shall only be stored in the area shown in yellow on the submitted site plan numbered TQRQM23282161151638 and dated 9th October 2023.
9. There shall be no storage of hazardous substances on site at any time.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution in accordance with Policy EQ7.
4. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.
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7. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.
8. The site is within the Open Countryside within which, in accordance with the planning policies in the adopted Local Plan, there is a presumption against development, unless it is essential to the operation of rural activities and must be located in the countryside, limited infilling or the re-use of a rural building in accordance with policy OC1 of the adopted Core Strategy.
9. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.

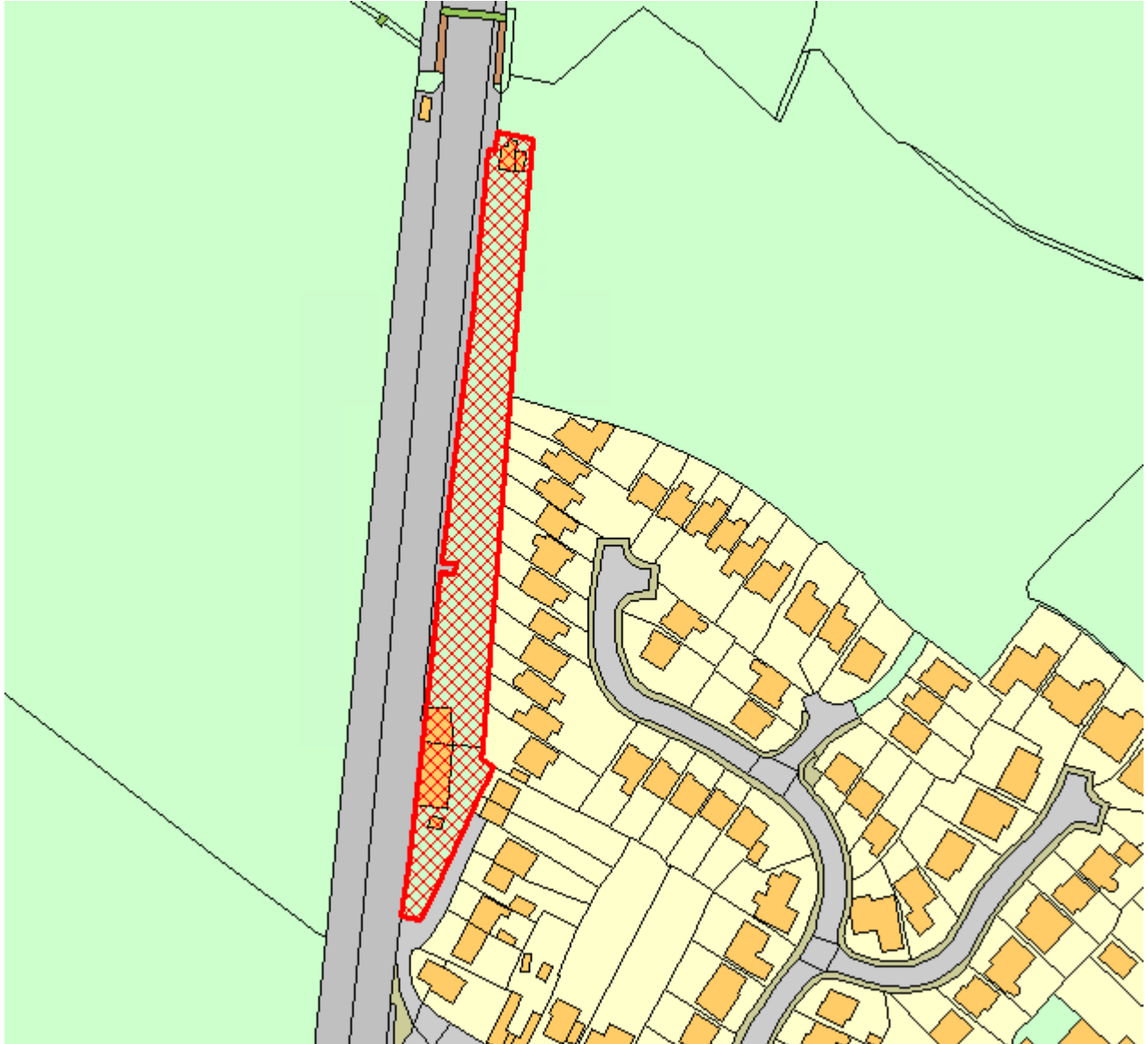
The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things):

deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2023.

Plans on which this Assessment is based:

Plan Type	Reference	Version	Received
Location Plan			9 November 2023
Container Dimensions			30 October 2023
Proposed Site Plan			9 November 2023



Goods Yard, Goods Station Lane, Penkridge ST19 5AU