

**Item Number:** 10  
**Application No:** 21/00584/HOUSE  
**Parish:** Pickering Town Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr Pete Wood  
**Proposal:** Erection of storage container for use as hobby workshop (retrospective)  
**Location:** Land Off Westbourne Grove Pickering North Yorkshire

**Registration Date:** 31 March 2021  
**8/13 Wk Expiry Date:** 26 May 2021  
**Overall Expiry Date:** 28 June 2021  
**Case Officer:** Niamh Bonner **Ext:** 43325

#### **CONSULTATIONS:**

<b>Pickering Town Council</b>	Objection
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<b>Representations:</b>	Mr Les Bauchop, Luke Arnold, Paul Marquis, Kenneth Shields, Peter Cooper, Mrs Sue Sales, Mrs S A Burnett, Mr Zachary Wand-riley, Mrs Carol Nabb, Mr Andrew Stead, Stuart and Nikola Wootton,

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#### **SITE:**

6 Westbourne Grove is a detached two storey property, sited within a cul-de-sac location within the development limits of Pickering, to the south of Middleton Road.

Westbourne Grove incorporates two storey dwellings to the east and bungalows to the south. To the west are 'split' domestic curtilages associated with the properties no. 1-7, separated from these dwellings by the highway. These parcels of land incorporate a range of uses, including garages, vegetable patches, sheds, greenhouses, outbuildings and garden areas, with low level boundary treatments including walls, fences etc.

The precise application site includes no. 6 and the split domestic curtilage. This parcel of domestic curtilage spans approximately 10.7 metres from north to south and 19.8 metres from east to west. Within this parcel of domestic curtilage there is a sectional double garage, the storage container for which retrospective permission is sought and gravelled hard surfacing, utilised for car parking and during the site visit, storage of a single caravan room for car parking, a stored caravan. The parcel of land is open to the east, to facilitate vehicular access and is bounded by timber fencing to the north, south and west. Within this fenced area, a small timber shed is located, to the east of the storage container

It is noted that no. 6 Westbourne Grove also benefits from an attached garage and a covered parking area adjoining the residential dwelling.

The Pickering Conservation Area is located approximately 15 metres to the south west at the nearest point running along the rear boundary lines of the properties fronting Westgate. To the west of the site is a recently constructed residential bungalow, accessed directly from Middleton Road.

#### **PROPOSAL:**

This application seeks permission for the erection of storage container, incorporating a footprint of 3 metres by 6 metres for use as hobby workshop (retrospective.)

This application has been submitted to the Local Planning Authority following a Planning Enforcement investigation where a breach of planning control had been identified.

The supporting information notes that this installed following a fire which destroyed the previous shed. This is located to the south western corner of the site, to the south of the existing pitched roof garage.

Following concerns raised by Officers in relation to the scheme, revised plans were received during the determination period.

These plans included the lowering of the storage container by 300mm with the removal of roof fins and support legs to result in an overall height of the flat roof structure of approximately 2.5 metres in height. Additionally, the storage container is proposed to be repositioned inset from the boundary, which would allow for the subsequent proposed installation of a section of new 1.8m high fencing to the southern boundary. Furthermore, the revised plans proposed the cladding of the storage container with horizontal natural timber cladding.

### **POLICIES:**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

National Planning Policy Framework

National Planning Practice Guidance

### **HISTORY:**

The following planning history is considered directly relevant

09/00982/HOUSE: Erection of detached double garage. Approved.

As part of this application, the Officer's report had noted "At present the amenity area is grassed and used as an open garden space. The proposed development would see the double garage unit located in the North West corner of the amenity area, with a gravel dressed drive running along the Northern Boundary. The current amenity area will remain unchanged along its Southern boundary."

The proposed block plan as part of this application show the location of an existing shed in the south western corner of the site and that an area of grass to the south, hedging to the western boundary and a tree were to be retained. It is not known when these were removed and additional hardstanding installed.

### **REPRESENTATIONS:**

A number of representations were received in relation to the original publicity. Given the number of documents received and their detailed contents, these will be summarised below, but they are available for members to review in full on the electronic planning file, accessible the Ryedale Website.

Seven letters of objection were received from/on behalf of the occupiers of Glenmar Westbourne Grove, 2 Westbourne Grove, 'Greensleeves' Westbourne Grove, 2 Westbourne Grove, Iona 2a Westbourne Grove, 7 Westbourne Grove, 3 Westbourne Grove.

The following points were raised:

- Concern over external appearance, height, colour, lack of screening being inappropriate, utilitarian and not consistent with a residential property and ambience of area

- Positioning on boundary, legs are located on neighbouring property and the positioning prevents screening.
- Spoils view from their property
- Being sited alongside an extensive double garage and shed makes the site look industrial and not like a front garden.
- Lowering property value.
- May set a precedent and degradation of the road.
- Observe that the land where the container stands, has, over the years been turned from a garden into a storage area for motor vehicles and business related equipment, with multiple vehicles arriving daily.
- Applicant regularly leave electrical cables running across the cabin to his commercial unit which is hazardous.
- Applicant has other lock ups and on Westbourne Grove he has a single garage, double garage and carport.
- Previous garden destroyed
- Originally planning permission stated no development was to be undertaken on these gardens.

The Town Council noted in a response dated 4th May “*The committee has objections to this application on the basis that the containers scale and appearance is out of character with the rest of the residential area.*”

The above referenced revised plans were received and readvertised on the 14th June 2021.

Further letters of objection were received from the occupier of 7 Westbourne Grove on the 19th June and the occupier of no 8 Westbourne Grove on the 24th June raising the following summarised points:

- Container will be in clear view of property and worsened since moving east.
- Inappropriate to allow an industrial unit on a residential street
- Lowering property prices
- Set a precedent for future development which a small private road cannot sustain.
- A commercial unit is still a commercial unit, even when clad in wood. Lowering it by 18cm is pointless, still blocks our view and will still be an eyesore.
- There was meant to be no development on this side of the road.

A neutral response was subsequently received on behalf of the occupier of Glenmar, Westbourne Grove on the 21st June.

The Town Council noted in a response dated 22nd June that “*The planning committee objects to this application on the grounds that the scale and appearance of the hobby workshop are not in keeping with the character of a residential area.*”

4 letters of support were received on the 18th /19th July from the occupiers of Maythorne Swainsea Lane Pickering, Park Gates Cottage Blandsby Park Pickering, 21 Hawthorn Lane Pickering, 24 Newby Farm Crescent Scarborough.

- Appropriate appearance, fits with surroundings and compliments/improves area
- Applicant has strived to enhance land since the devastating fire causing stress and anxiety.
- Support business growth
- Metal container will help deal with the risk of another fire, wood cladding with ensure it looks traditional.
- No other location for a hobby workshop/store elsewhere
- Without a hobby workshop, applicant cannot continue to help Pickering Musical Society with props/scenery

A letter from the applicant was also submitted on the 18th July, noting the following summarised points

- Never the intention to break planning regulations, hobby workshop was sited due to a devastating fire in May 2020 and would prevent reoccurrence.
- Willing to clad container and reposition it.
- Made reference to 2 objections not being from residents (Case Officer note: the response from Mr Stead on behalf of his mother at Glenmar is acceptable and there is no reason to suggest that Mr Wand Riley does not live at no. 8 Westbourne Grove. In any case, persons not within a location do have the right to make comments on planning applications to be considered by the LPA, as demonstrated by the letters of support.)

In relation to this 2 further letters were received from/on behalf of the occupiers of Glenmar Westbourne Grove and 8 Westbourne Grove on the 22nd and 23rd July respectively.

The occupier of no.8 Westbourne Grove noted concern in relation to the comments received from the Applicant on the 18th July in relation to his assertion that some commenters were not residents in Westbourne Grove. This has been addressed above and fundamentally all comments, including from Westbourne Grove residents and those from further afield will be considered as part of the determination of this applicant.

The occupier of no. 8 then took the opportunity to review and comment on the letters of support, of which some points there were in disagreement with.

Mr Stead who had written on behalf of the occupier of Glenmar Westbourne Grove (whose latest response was neutral) confirmed that All of the details within the submissions attributed to "Andrew Stead" are entirely the views and opinions of Mrs Mary Stead, 'Glenmar.' *"These submissions have been attributed to myself in an attempt to reduce the administrative burden on my elderly mother as well as providing consistent contact details."* This is noted and is no issue.

## **APPRAISAL:**

The main considerations within the determination of this application are:

- i. Character and Form
- ii. Impact upon Amenity
- iii. Other matters, including consultation responses.

### i. Character and Form

Policy SP16 (Design) of the Ryedale Plan, Local Plan Strategy notes that development proposals will be expected to *"reinforce local distinctiveness"* and to do so, the location, siting, form, layout, scale and detailed design of new development should respect the context of its surroundings, including the grain of settlements, influenced by street patterns, plot sizes, boundaries and the density, size and scale of buildings

Policy SP20 (Generic Development Management Issues) notes that

- *New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses.*
- *Proposed uses and activities will be compatible with the existing ambience of the immediate locality and with neighbouring land uses*
- *The cumulative impact of new development on the character of an area will also be considered.*

It further notes that the design of new development will follow the principles established in Policy SP16.

Paragraph 130 of the National Planning Policy Framework notes *"Planning policies and decisions*

should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit”

As noted, the western side of Westbourne Grove relates to the split curtilages associated with properties no. 1-7 and is characterised as entirely domestic in appearance, with a varied array of outbuildings, sheds, greenhouses, lawn, vegetable patches, sections of hardstanding for vehicle parking and lawned areas.

The space associated with no. 6 incorporates an approved double garage, a shed and is entirely completed with hardstanding.

The grey industrial storage container is highly visible in this location and it is noted that the flat roof incorporates a height beyond the eaves of the adjoining garage. The industrial form and appearance of the storage container is also considered entirely at odds with the residential character of this location and its siting has introduced an alien and visually incongruous form of development which does not assimilate with the surrounding land use, negatively impacting on the street scene and context. It is Local Planning Authority’s view that this development is a poor quality installation which has resulted in clear conflict with the requirement of Policies SP16 and SP20 and the NPPF in terms of good design as outlined above.

It is acknowledged that some amendments to the scheme, as outlined above have been formally submitted. The Case Officer discussed these with the Agent and was content to extend the time period for amendments. In an email dated 25th May 2021 the Case Officer noted: *“We are not in a position to advise at this point in time whether or not these plans would be positively received and would overcome our identified concerns, but we are happy to give you the opportunity.”*

Following review, whilst the amendments have made some improvements to the scheme, it is not considered that these are sufficient to address the material harm associated with the installation.

Notwithstanding the proposed inseting, including the reduction in overall height by 300m and cladding of the metal container with timber, it remains the view of the Local Planning Authority that this amended proposal would incorporate a strongly industrial form and appearance, which would not assimilate in this domestic setting and which would result in harm to the character of the application site and the wider streetscene.

The high flat roof would still appear visually disconnected from the more traditionally scaled adjoining double garage, with a height that projects beyond the eaves height of this building and it is not considered that this would relate to high quality design. Whilst there are some other examples of flat roofs in the vicinity these are more traditional domestic installations and located in less exposed positions. It is considered that the overall scale of this installation and its highly visible positioning would render this proposed form visually incongruous.

This proposal does also increase the level and density of developed land within this curtilage with the significant amount of garaging/shed/carport noted. However, on balance it not considered that this aspect in isolation is specifically materially harmful. Therefore, should an alternative proposal/scheme be put forward in the future this could be considered by Officers. It is recommended that any future development should ideally be designed with a more traditionally domestic appearance that would assimilate in this particularly prominent and open cul de sac location, ideally subservient in design form

to the already sizeable existing double garage.

The Applicant could avail of the Council's preapplication advice service for further guidance, if this had of been sought for the present storage container this could potentially have been helpful for the Applicant, although the circumstances of the fire are acknowledged.

Fundamentally, this proposal is not considered to accord with either Policies SP16 or SP20 of the Ryedale Plan, Local Plan Strategy or the NPPF.

#### ii. Impact upon Amenity

Policy SP20 (Generic Development Management Issues) of the Ryedale Plan, Local Plan Strategy notes: *"New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence."*

Paragraph 130 (f) of the National Planning Policy Framework notes that "Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."

Solely in amenity terms, it is not considered that this development, either presently, or with the proposed amendments would result in material harm to neighbouring occupiers, as a result of loss of privacy, overshadowing, nuisance, lighting, odour etc. However this would have been further considered should this storage container have been installed in connection with a business use. As this relates to a private hobby space, this is considered acceptable in amenity terms. .

#### iii. Other Matters, including consultation responses

The site is located in close proximity to the Pickering Conservation Area, however following the site visit, it was not considered that this proposal would result in specific harm to the heritage asset by virtue of its positioning.

The Local Planning Authority has no evidence that a commercial business has been running from this site, but should this change in the future, this could be further investigated.

The aspect relating to the running of cables may be an issue that could be assessed by the Council's Community Team should this arise in the future. It is not considered in planning terms that this proposal would have an impact upon access or highway safety.

The perceived lowering of house prices is not a material planning consideration to which weight can be given in the determination of a planning application.

In conclusion, notwithstanding the amendments, the application for the retention and alterations to the storage container to form a hobby workshop are not considered to accord with Policies SP16 or SP20 of the Ryedale Plan, Local Plan Strategy, nor the National Planning Policy Framework for the reasons outlined above. It is therefore requested that Members refuse this retrospective permission and grant authority to undertake enforcement action.

The difficult circumstances around the fire which occurred in May 2020 are noted and whilst the Applicant has been able to use this unlawful structure for some time, it is considered to be appropriate to allow a further two months for the removal of this structure. It is however noted that the Applicant retains a single and a double garage, a shed and a carport, as well as a large area for outdoor parking and it is considered that a further two month period is sufficient for them to consider their options and make alternative arrangements.

**RECOMMENDATION:**

**Refusal and authorisation to secure the removal of the unauthorised structure within a two month period from the date of decision.**

- 1 It is considered that the retrospective storage container, notwithstanding the proposed amendments, is by virtue of its scale, form, materials and detailed design to be an inappropriate structure with an industrial form and appearance in a predominantly residential area. The Local Planning Authority considers this structure does not assimilate well with its surroundings in this established residential area. It appears as an incongruous feature within the surrounding pattern and form of residential and ancillary residential development and is considered to be seriously harmful to the visual amenity of the application site and the wider locality. The proposal does not therefore satisfy the requirements of Policies SP16 Design and SP20 Generic Development Management Issues of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.