

Town and Country Planning Act 1990
Retention of storage container at rear of shop premises
46 Cambridge Drive, Padiham, Lancashire

Background:

The application site is land to the rear of the Top Taster take-away premises at 46 Cambridge Drive, Padiham. The take-away premises are one of a pair of shops, the other being a convenience store and are situated on a road leading to a housing estate and have residential properties to the side and rear. There is a small area of land to the rear of each shop premise.

Proposal

The application seeks consent for the retention of a larger storage container on the land to the rear of the premises (it is replaced a smaller container that has been on the land pre 2009). The larger container is 2.4m in width, 9.5m in length and 2.4m in height.

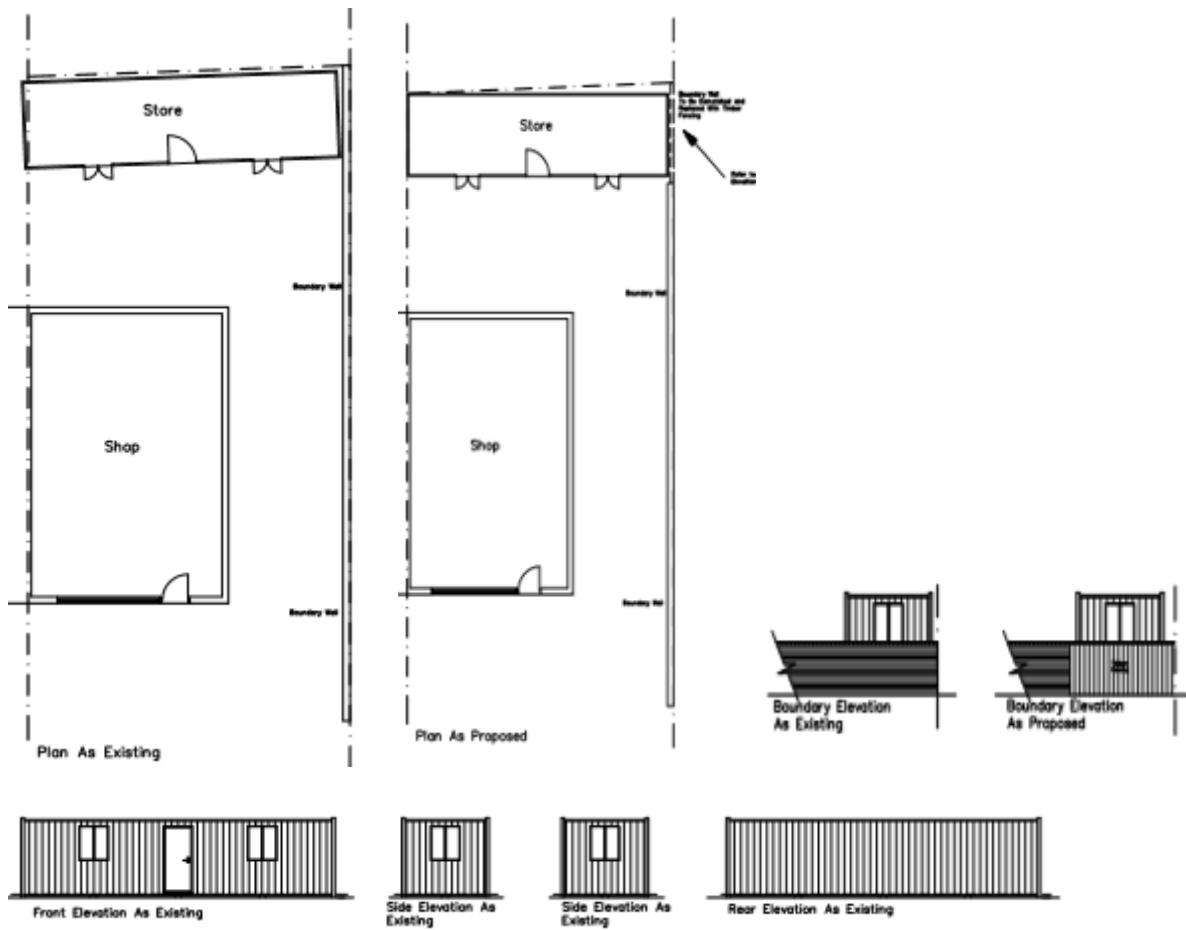
Previous container



New larger container



New larger container



The container is 2.4m in width, 9.5m in length and 2.4m in height and is very slightly positioned over the neighbouring boundary. To correct this, the applicant intends to remove part of the damaged boundary wall and replace with a timber fence on the boundary and the container can then be re-positioned within the application site and ownership of the applicant.

The container is currently dark green but is in need of re-painting to bring it to an acceptable visual standard. This would be conditioned to be carried out within 1 month and maintained in good condition thereafter. The container is accessed from the rear of the shop premises and is to be used for the storage of stock which is currently being stored in the back section of the single storey shop unit, which is the small food preparation area for the shop. At present, there is limited workspace for the staff members to manoeuvre when preparing and cooking the food due to the amount of stock within the preparation/serving area and also the cooking equipment required for the day-to-day running of the business. The larger storage container would allow shelving to be installed so the stock could be stored for easier accessibility and visibility for the staff members to retrieve easily.

Relevant Policies:

NPPF 2019
Planning Practise Guidance

Burnley Local Plan 2018
SP5 – Development Quality and Sustainability

Site History:

12/89/0069 - Change of use from greengrocers shop (Class A1) to shop for the sale of hot food (Class A3)

Consultation Responses:

Publicity:-

Two neighbour objections have been received during the consultation process. The comments are summarised as follows:

- The container is on 48 Cambridge Drives' land (this is disputed, but to rectify the matter, the applicant intends to slightly move the unit wholly within their curtilage boundary)
- Effect of container on character of the neighbourhood
- Visual impact of container
- Over-bearing in size
- Removal of wall would weaken remainder of boundary wall
- Struggle to access rear of other shop unit by vehicle/delivery vans (this is a private matter – informed by applicant that they legally only have rights for maintenance of land)
- Over shadowing of trees on neighbours' land
- Security

Planning and Environmental Considerations:

Main issues

- Impact on the character of the area including design and appearance
- Impact on amenity of neighbours

Impact on the character of the area

The cabin is set back approximately 60ft from the main road and mainly hidden behind the shop. The distance is sufficient enough to not cause any immediate impact on the street scene and is considered acceptable in accordance with Policy and SPF 5 of the adopted Local Plan. The section of the container which is visible from the main road is only 12ft (similar to previous view of smaller cabin). It is set against the rear boundary fence and side boundary wall, a small section of this is to be replaced with a timber fence of the same height. It is partly screened by existing trees from the dwelling at the rear. A condition will be inserted so the container will be painted green.

Impact on the amenity of neighbours

Although the cabin would be more visible for the neighbouring properties to the side of the application site (44 Cambridge Drive and rear of Norfolk Avenue), no objections or comments were received from these properties. The container is a replacement container, although considerably larger, it is located in the same area as the previous one and will be green in colour, which is an acceptable colour for the surrounding.

Recommendation:

Approve subject to conditions:

- temporary for 2 years (to monitor the need for the larger cabin and assess whether a more permanent building would be more appropriate)
- colour and maintenance
- use for storage only, no food preparation or cooking

Conditions

- 1 The container hereby permitted shall be removed on or before 2 years from the date of this decision notice, unless a further permission has been sought and granted.

Reason: In the interests of visual amenity. This is in accordance with the following policy SP5 of Burnley's adopted Local Plan.

- 2 The development hereby permitted shall be carried out in accordance with The following approved plan; Drawing number 2019/0016/0001 – Plans and elevations as existing and proposed, site location plan and site layouts as existing and proposed received 6th November, 2019.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

- 3 The container hereby permitted shall be painted in dark green and shall be maintained in a good condition throughout its use.

Reason: In the interests of visual amenity. This is in accordance with the following policy SP5 of Burnley's adopted Local Plan.

- 4 The container shall be used for storage purposes only. No food preparation or cooking shall take place within the storage container.

Reason: In the interests of residential amenity.

Karen Morville
31st January 2020