

**Application Number** 20/00498/FUL

<b>Proposal</b>	Demolition of existing garden centre store building and use of the site to increase the size of existing customer car parking area. Proposed 16.00m x 10.00m single storey garden centre store building (replacing that which is to be demolished).
<b>Site</b>	Lymefield Garden Nursery, Lymefield, Broadbottom
<b>Applicant</b>	Mr David Pryce
<b>Recommendation</b>	Approve, subject to conditions.
<b>Reason for Report</b>	A Speakers Panel decision is required because, in accordance with the Panel's Terms of reference, the Head of Service considers that the application raises issues about which a member of the public has requested the opportunity to address the Panel before a decision is made. Accordingly, the applicant, or their agent, has also been given the opportunity to speak.

## **1. APPLICATION DESCRIPTION**

- 1.1 The application seeks full planning permission works that would reconfigure the arrangements at the garden centre.

## **2. SITE AND SURROUNDINGS**

- 2.1 Lymefield Garden Centre, which previously formed part of Lymefield Farm, was established following the grant of planning permission (ref. 97/00363/FUL) in October 1997, since when activities and facilities at the site have expanded substantially. The garden centre is located approximately 180 metres to the south of Market Street, which is the main road through Broadbottom village, and is accessed from here via Lymefield, which is an unadopted road. Lymefield also serves to provide access to the former Lymefield Visitor Centre, commercial premises at George Bray Mill Yard and to dwellinghouses at Lymefield Terrace, each to the north of the garden centre.
- 2.2 Access to the garden centre is from the north, via Lymefield. After entering the site, circulation is one-way around an amalgam of adjoining, single-storey buildings used for storage. On the western side of the circulation route there is an open plant sales area that occupies the north western part of the site, and immediately to the south of this there are conjoined, single-storey buildings laid out in an 'L-shaped' configuration, which accommodate the main indoor facilities associated with the garden centre business, including a retail area, farm shop, and tea rooms.
- 2.3 Car parking facilities are currently provided around the central building and in a portion of the site that extends to the south-east of the site towards the River Etherow. In total, the current arrangements can accommodate 45 cars.

## **3. PROPOSAL**

- 3.1 The proposal is twofold:

- to remove the central, storage building and utilise the cleared site for car parking; and
- to develop a replacement storage building located at the north-eastern part of the wider site close to the southern side of the neighbouring mill.

3.2 The proposed arrangement would provide parking spaces for 58 cars, including three dedicated disabled spaces, together with three secure cycle storage spaces.

3.3 The proposed building would have a mono-pitched roof, rising from a height of 4.9m at the front to 4.4m at the rear. The front and side walls would be finished externally with tanalised timber cladding above a blockwork plinth. The rear wall, facing towards the mill, would be finished externally with green-coloured, profiled metal cladding above the plinth. The floor area would measure 10m x 16m.

## **4. RELEVANT PLANNING POLICIES**

### **4.1 Tameside Unitary Development Plan (UDP) Allocation**

Allocated Green Belt

### **4.2 Part 1 Policies**

1.3: Creating a Cleaner and Greener Environment

1.12: Ensuring an Accessible, Safe and Healthy Environment

### **4.3 Part 2 Policies**

OL1: Protection of the Green Belt

T1: Highway Improvement and Traffic Management

T7: Cycling

T10: Parking

### **4.4 Other Policies**

It is not considered there are any local financial considerations that are material to the application.

### **4.5 National Planning Policy Framework (NPPF)**

Section 2. Achieving Sustainable Development

Section 12. Achieving Well-Designed Places

Section 13. Protecting Green Belt Land

### **4.6 Planning Practice Guidance (PPG)**

This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

## **5. PUBLICITY CARRIED OUT**

5.1 The application has been advertised by means of neighbour notification letters being dispatched on 17 June 2020 to 10 addresses in Lymefield, Broadbottom and to Long Lane, Charlesworth; and, a notice being posted at the site on 22 June 2020, and being published in a local newspaper on 25 June 2020.

## **6. RESPONSES FROM CONSULTTEES**

- 6.1 The Head of Environmental Services (Highways) has raised no objections to the proposals.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 Two third party objections have been received. The reasons given for objecting are:
- Highway Safety: it is contended that the increased car parking provision could result in almost 1000 vehicle movements, including cars and delivery vehicles, each day along the unadopted, no-through road, so causing increased road safety hazards where there are walkers and people on-foot accessing play and picnic areas.
  - Noise: the potential for increased traffic movements will give rise to increased noise disturbance, particularly through the loading of aggregates.
  - Impact on the greenbelt. The expansion of the business has eroded the openness of the greenbelt , and will continue to do so.
- 7.2 It is alleged that information included in the application is incorrect, including the understatement of the parking provision.

## **8. ANALYSIS**

- 8.1 The site is located entirely within the greenbelt as allocated on the Proposals Map associated with the Unitary Development Plan for Tameside (2004). Therefore, the main issues to consider are:
- The principle of the proposed development and whether the proposals represent inappropriate development within the greenbelt;
  - If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development, including in terms of the impact on the visual amenities of the greenbelt;
  - The impact on residential amenities; and
  - Parking and highway safety.

## **9. PRINCIPLE**

- 9.1 At the time of its inception the garden centre operated principally from a single building alongside a storage building and open plant sales area.
- 9.2 The NPPF states that the fundamental aim of greenbelt policy is to prevent urban sprawl by keeping land permanently open and that their essential characteristics are their openness and permanence. Inappropriate development is, by definition, harmful to the greenbelt and so, with exceptions, the construction of new buildings is considered inappropriate in the greenbelt and should not be approved except in very special circumstances. An exception to inappropriate development is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- 9.3 Although located in a different part of the site, the proposed building would replace the existing central storage building, and would be used for storage purposes in association with the

garden centre. In order to accommodate the new building an existing open-fronted, pre-fabricated top soil storage building would have to be removed. The proposed building would occupy an area of approximately 160sqm. The existing central storage building occupies an area of approximately 306sqm, and the soil store an area of approximately 64sqm. Each building being single-storey, it is not considered that the replacement building would be materially larger than the one it replaces. Moreover, the new building would occupy land where previously notification (ref. 18/00314/NAG) was issued in April 2018 that the prior approval of the local planning authority was not required for the development of an agricultural building. The replacement building would not protrude beyond the extent of the existing developed area at the garden centre and farm. Due to the confines of existing buildings, long distance views of the replacement building would be from the south only, and from where it would be seen against the background of the larger mill, and so not encroaching visually on the countryside. The proposed new building is therefore considered to be appropriate development in the greenbelt and compliant with policy OL1 of the UDP and Section 13 of the NPPF.

- 9.4 Demolition of the existing building is permitted development, subject to the prior approval of the local planning authority, where only the method of demolition and restoration of the site would be considered. The laying of a new hard surface in its place, constituting an engineering operation and thus development, will then require planning permission. The courts have established that areas of hard-standing have an impact upon the openness of the greenbelt and are thus harmful to the essential characteristic of permanent openness. The proposed new, hard surfaced car park is therefore considered to represent inappropriate development in the greenbelt and should not be approved unless very special circumstances can be demonstrated.
- 9.5 The provision of the hard surface is dependent upon the removal of the existing building. The impact of the existing building on the openness of the greenbelt is then far greater than would be that of the hard surfaced area. The parking of cars on the hard surface would impact on the openness of the greenbelt, but again to a lesser degree than the existing building, and cars might be parked on this land once the building is cleared without the need for any further express consent.
- 9.6 For the purposes of assessment in respect of the requirements of the NPPF, it is considered that, on balance, the removal of the central storage building and its replacement with a car park in the same location and a new building in a less conspicuous position within the site would enhance the openness of the greenbelt and so amount to the very special circumstances that are necessary so that the proposal is considered acceptable in principle and compliant with Policy OL1 of the UDP and Section 13 of the NPPF.

## **10. RESIDENTIAL AMENITY**

- 10.1 UDP policy 1.12 requires conflicts between industrial or commercial operations and the enjoyment of a clean and quiet residential environment be avoided. The nearest dwellings to the site are those at Lymefield Terrace immediately to the north of the garden centre. Further afield, there are houses in Market Street and Bostock Road some 200m to the north, and in Long Lane, Charlesworth, the nearest being approximately 300m to the north-east.
- 10.2 It is considered that sufficient distance would exist, or that adequate screening would be provided by the existing mill, between the proposed new building and any residential properties so as to ameliorate the impact of any activities in the building on the quietude of the residential environment. Whilst the new car park would give rise to the potential for increased traffic

movements, and manoeuvres, close to the houses in Lymefield Terrace, the removal of the storage building would diminish the associated activities, such as servicing, and loading and unloading to and from the store, and so, on balance, any existing residential amenities would not be impacted unduly by the new arrangements. The requirements of policy 1.12 are satisfied.

## **11. PARKING AND HIGHWAY SAFETY**

- 11.1 The new building would be a replacement storage building and would not constitute an increase in the retail area. The new arrangements are intended to improve facilities, and the general environment, within the garden centre. The application proposes to formalise the car park layout, whilst increasing car parking provision, and creating signed access and egress, and guidance arrows around the car park. By formalising and improving the access/egress, and parking arrangements, and meeting the car parking standards given by the UDP, in terms of the impact on parking and highway safety the proposal is acceptable and complies with policies T1 and T10 of the UDP and with Section 9 of the NPPF.

## **12. CONCLUSION**

- 12.1 Unlike the proposed replacement building, the laying of a new hard surface is considered to represent inappropriate development within the greenbelt. However, the fact that the proposals overall, which are interdependent, would serve to increase the openness of the greenbelt, without impinging unduly on the visual amenity provided by that openness, are considered to constitute the very special circumstances that are necessary to allow for the development to be permitted. In these circumstances, there being no other material considerations to indicate otherwise, the proposal constitutes a sustainable development that conforms to the relevant requirements of the UDP and the NPPF and the recommendation is therefore that planning permission be granted.

## **RECOMMENDATION**

That Members resolve that they would be MINDED TO GRANT planning permission for the development subject to the following conditions:

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

The Location Plan;  
The Existing Site Plan – ref. 20.3/5, and  
The New Store Building Details – ref. 20.3/6, received on 03.06.2020.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990

- 3) Other than the demolition of the existing building, as indicated on the approved plan ref. 20.3/5, the development hereby approved shall not commence until details of a scheme for the sustainable drainage of surface water from the new hard surfaced area, as indicated on the approved plan ref. 20.03/4A, has been submitted to, and approved in writing by, the local planning authority. The drainage scheme must include:
- i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
  - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
  - iii. A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 4) The new building hereby approved, as indicated on the approved plans ref. 20.03/4A and ref. 20.3/6, shall be used for storage purposes only. No retail sales shall take place from the building directly.

Reason: To ensure an appropriate development in the greenbelt.