

Application Number 17/00269/FUL

Proposal Extension to existing café and sales/storeroom area.

Site Lyme field Garden Nursery, Lyme field, Broadbottom.

Applicant Mr Robert Pryce

Recommendation Grant planning permission subject to conditions

Reason for report A Speakers Panel decision is required because, in accordance with the Council's Constitution 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 been given the opportunity to speak also.

REPORT

1. SITE AND SURROUNDINGS

- 1.1 The application site comprises the curtilage associated with Lyme field Garden Centre which previously formed part of Lyme field Farm. Planning permission was granted for the existing garden centre under application reference 97/00363/FUL in October 1997. The site is located approximately 180 metres to the south of Market Street and is accessed from here via Lyme field. The garden centre, which includes a farm shop and tea rooms, is located at the end of Lyme field but this access also serves the former Lyme field Visitor Centre, commercial premises at George Bray Mill Yard and dwellinghouses at Lyme field Terrace.
- 1.2 The garden centre includes an open plant sales area in the north western part of the site. To both the east and south are single storey buildings laid out in an 'L-Shaped' configuration accommodating the main indoor facilities associated with the garden centre business.
- 1.3 Existing car parking provision comprises 20no. spaces located around the central building and to the south east leg of the site which extends towards the River Etherow. A further 20no. spaces to the south of the site are unauthorised at the time this report was finalised but is subject to a separate (retrospective) planning application also on this agenda (planning application reference 17/00502/FUL).
- 1.4 In addition to the proposed extension this application specifically includes the provision of 7no. additional car parking spaces in the northern part of the site adjacent to the access road and existing buildings. This would increase overall provision to 27no. space but if the separate planning application referred to above is approved this would result in a total of 47no. spaces.
- 1.5 The application site is located within the Green Belt as designated by the Proposals Map associated with the Unitary Development Plan for Tameside (2004).

2. THE PROPOSAL

- 2.1 The application seeks planning permission for the erection of a single storey extension to the southern side of the existing building located within the south western corner of the site. This building accommodates the sales area and ancillary café and the proposed extension would span its full width (22.5m) and project 5.5m towards the southern boundary of the site.

- 2.2 The proposed extension would continue the twin-gabled profile of the existing and the materials used in its construction would match those used on the existing building (timber clad walls and olive green profile sheeting for the roof).

3. RELEVANT PLANNING HISTORY

99/01055/FUL – A canopy to provide a covered sales area plus pergola walkway – Approved, with conditions, January 2000;

01/01200/FUL – Extension for additional sales area – Approved, with conditions, December 2001;

02/00082/FUL – Extension to plant area for growing and retailing shrubs and trees plus access road – Refused, but subsequently allowed at appeal in April 2003;

10/00159/FUL – Replacement two storey building for use as a garage, toilet block, office and storeroom – Approved, with conditions, April 2010;

11/00874/FUL – Extension to provide additional retail space – Approved, with conditions, November, 2011;

12/00187/FUL – Removal of an existing polytunnel and erection of a greenhouse – Approved (retrospectively) April 2012.

4. RELEVANT PLANNING POLICIES

- 4.1 Tameside Unitary Development Plan (UDP) Allocation: Green Belt.

Part 1 Policies

1.3 – Creating a Cleaner and Greener Environment

1.12: Ensuring an Accessible, Safe and Healthy Environment

Part 2 Policies

OL1 – Protection of the Green Belt;

OL2 – Existing Buildings in the Green Belt;

S7 – Food and Drink Establishments and Amusement Centres; and,

S9 – Detailed Design of Retail and Leisure Developments;

National Planning Policy Framework (NPPF)

Achieving Sustainable Development;

Section 3 – Supporting a Prosperous Rural Economy;

Section 7 – Requiring Good Design; and,

Section 9. Protecting Green Belt land

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 dispatched on 15 May 2017 and with a site notice being posted at the site on 27 April 2017.

6. RESPONSES FROM CONSULTEES

- 6.1 Head of Environmental Services (Highways) – No objections raised to the proposals.

7. SUMMARY OF THIRD PARTY REPRESENTATIONS

- 7.1 One letter of objection has been received from a resident in Charlesworth raising the following matters:

- The noise generated by activities at the garden centre, including summer fairs, with outdoor singing (loudspeakers, electric guitars etc.) and the introduction of the tea rooms/bistro, as well as day-to-day activities, sometimes until late in the evening and at weekends, already cause disturbance and detract from the enjoyment of the residential environment. The recent introduction of turf cutting on what was previously pasture land has increased noise levels and the further extension to the garden centre will exacerbate these issues.
- Continued expansion of the garden centre, including new hardstandings and the stock-piling of materials, has eroded the open aspect of the Etherow Valley. The further extension to the garden centre, and the changing of the use of agricultural land to commercial operations, will increase this continuing loss of green space.
- The continued growth of the garden centre has not only caused the increase in general visitor traffic through both Charlesworth and Broadbottom but also the constant flow of delivery trucks so as to cause traffic congestion locally. The proposed extension, and the additional traffic it would generate would not only increase this problem but also likely cause structural problems at Best Hill Bridge that spans the River Etherow at the boundary of Broadbottom in Tameside with Charlesworth in High Peak Borough.
- The burning of bonfires at the site, which already causes environmental problems, would increase in size and frequency if the garden centres extends.

- 7.2 A representation offering support to the proposals has been received from a resident of Hyde on the grounds it would help support a local business and improve the facilities on offer.

8. ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission are determined in accordance with the development plan unless material planning considerations indicate otherwise. Material planning considerations include the NPPF.
- 8.2 The site is located entirely within the Green Belt as allocated on the Proposals Map associated with the Unitary Development Plan for Tameside (2004). Therefore, the main issues to consider are:

1. The principle of the proposed development and whether the proposals represent inappropriate development within the Green Belt;
2. The impact of the proposals on the openness and visual amenity of the Green Belt;
3. 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;
4. Residential amenity; and,
5. 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 confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that their essential characteristics are their openness and permanence. However, paragraph 89 of the Framework makes certain exemptions for development in the Green Belt, and this includes '*the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.*'
- 9.3 The 'original building' to which this application relates has already been extended with the development of the previously approved extensions and the greenhouse that replaced a polytunnel. Although there is no definition within the Framework to clarify what size of extension would be disproportionate a generally accepted guide is any extension which increases its volume by more than 33% should be regarded as disproportionate. The volume of the original building was approximately 569m³ and the combined volume of the existing and proposed extensions is approximately 1,931m³. This equates to a more than 300% increase in the volume of the *original building* and therefore the proposed extension is considered to represent inappropriate development within the Green Belt.
- 9.4 Paragraph 87 of the NPPF explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in *very special circumstances*. Paragraph 88 requires Local Planning Authorities to give substantial weight to any harm to the Green Belt and explains that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 9.5 It is therefore necessary to consider both the impact of the extension on the openness and visual amenity of the Green Belt and to balance this harm against any benefits associated with the development (i.e. the very special circumstances put forward by the applicant).
- 9.6 Previous additions have been allowed because these do not extend beyond the confines of the existing garden centre structures. The proposed extension would however project southward from the existing building on to open land. As with the previous additions, the proposed extension would nevertheless, when viewed from the surrounding area, primarily to the south and west, appear against the background of the existing garden centre, terrace and mill and so not encroaching visually on the countryside. Furthermore, the design of the proposed extension would integrate with the existing building given that it is of similar scale and mass and would not result in any significant harm to the visual amenity of the Green Belt.
- 9.7 The proposed extension would expand equally both the existing tea rooms and the farm shop (including associated) storage. The garden centre, tea rooms and shop, is a significant source of local employment in the village providing 21 full-time jobs, including an apprentice butcher in the farm shop, and 16 part-time jobs. In the absence of any

convenience store in the village, other than the offer at the Post Office, the farm shop also provides an important local resource. The applicant contends that the garden centre trade has become increasingly seasonal and viable continued operation has become consequently increasingly dependent upon the tea room and farm shop.

- 9.8 The extended tea rooms and farm shop would allow for an improved, less constrained environment for customers and this, in turn, would encourage patronage and the continued viable operation of the wider facility. The applicant suggests that the extension would facilitate the creation of a further 3 jobs.
- 9.9 It is therefore considered that the benefit that the extension would provide in facilitating the continued viable operation of the garden centre and the services this provides locally amount to very special circumstances that outweigh the harm to the openness of the green belt. The proposal is therefore considered acceptable in principle and compliant with Section 9 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 to be avoided. The nearest dwellings to the site are those at Lymefield Terrace immediately to the north of the garden centre on the far side of the existing building. 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 and the objector's house approximately 400m approximately to the east.
- 10.2 It is considered that sufficient distance, or that adequate screening would be provided by the existing building, would exist between the extension and any residential properties to ameliorate the impact of any activities in the extension on the quietude of the residential environment and the requirements of policy 1.12 are satisfied.
- 10.3 The concerns raised by the objector in relation to outdoor activities and bonfires at the garden centre and farm are not material considerations in deciding the application.

11. HIGHWAYS

- 11.1 The proposals are in response to the changing needs of the business in terms of meeting increasing customer demands. The proposed extension could reasonably be expected to accommodate a higher number of visitors but, in terms of parking requirements, the proposals include the provision of an additional 7no. spaces.
- 11.2 In terms of the impact on highways and transportation the proposal is therefore considered acceptable and compliant with Section 4 of the NPPF. Paragraph 32 of the Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 11.3 No objection has been received to the proposals from the Council's highway engineers since it is not expected that they would result in any increased pressure on the local highway network to an unsustainable level. Therefore, it is not considered that a severe impact would result on the highway network as a result of the proposed extension. However, if Members have resolved to grant planning permission on a retrospective basis for the retention of the 20 space car park (17/00502/FUL), this can be taken into account as a material consideration in support of this application since they would continue to provide formalised arrangements for visitors/customers.

12. CONCLUSION

- 12.1 The proposed extension to the existing building is considered to represent inappropriate development within the Green Belt. However, the very special circumstances put forward by the applicant are considered to outweigh the harm that would be caused to the openness and visual amenities of the Green Belt and, there being no other material considerations to indicate otherwise, it is considered that the proposal constitutes a sustainable development that conforms to the relevant requirements of the UDP and the NPPF and the recommendation is therefore for approval.

13. RECOMMENDATION

Grant planning permission subject to the following conditions:

1. The development must begin not later than the expiration of three years beginning with the date of this permission.
2. The materials to be used in the construction of the external surfaces of the extension hereby approved shall match as closely as practicable the corresponding materials in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: the Location Plan, and those ref. 16.12/1 and 16.12/2, received on 05/04/17.