

Report of the Chief Executive

APPLICATION NUMBER:	19/00212/FUL
LOCATION:	TROWELL GARDEN CENTRE STAPLEFORD ROAD TROWELL NOTTINGHAMSHIRE NG9 3TG
PROPOSAL:	EXTENSION TO GARDEN CENTRE INCLUDING COFFEE LOUNGE, CHILDREN'S PLAY AREA, HANDLING AND PROCESSING AREA AND PLANT PROTECTION AND ENLARGEMENT OF RETAIL AREA

Councillor L Ball has requested this application be determined by Planning Committee.

1 Executive Summary

- 1.1 This application is for the extension to an existing garden centre building including the extension of an existing coffee lounge, a children's play area, handling and processing area and additional canopies to provide plant protection and an enlarged retail area.
- 1.2 The main issues for consideration are whether or not the development constitutes appropriate development in the Green Belt, the design and appearance of the proposal, the impact upon neighbouring amenity and highway safety.
- 1.3 The benefits of the proposal are that the applicant proposes a major investment which is designed to improve the customer experience of an existing established business in the locality, helping to maintain the long term viability of the business, creating job security for existing staff and creating additional employment opportunities. However, the size of the extensions are considered to represent an disproportionate addition to the size of the original building which would be inappropriate development, harmful to the openness of the Green Belt. The extensions, in combination with the existing extensions would result in an increase of approximately 156% compared to the original building.
- 1.4 The Committee is asked to resolve that planning permission is refused for the reason set out in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks consent for the extension to an existing garden centre building including the extension of an existing coffee lounge, a children's play area, handling and processing area and additional canopies to provide plant protection and an enlarged retail area.

2 Site and surroundings

- 2.1 The site is located within the Nottinghamshire Green Belt in a disused former quarry to the north east of Stapleford Road. The site is accessed via a narrow track from Trowell Road which opens up to a wider access road past the railway bridge.
- 2.2 The site currently contains a large building containing sales and storage floorspace associated with the garden centre, plus customer facilities such as a café and associated retail sales area. To the south east there is a large car park and an outdoor display and sales area to the north of the building, which is partially covered by an open sided canopy containing various plants and garden centre items for sale.

3 Relevant Planning History

- 3.1 Various planning applications were approved during the 1980s and early 1990s to construct extensions and greenhouses since the original permission was granted for the nursery in 1985. A section 52 agreement was completed in 1985, which restricts the goods that can be sold and the areas of the site within which they can be sold, to help protect the purposes and character of the Green Belt.
- 3.2 An application in 1997 for further extensions, including canopy extensions to the shop area was withdrawn in the light of officer advice that the scheme was contrary to Green Belt policies and that there were insufficient special circumstances to warrant a recommendation contrary to established policy.
- 3.3 In 2004, planning permission was granted for the erection of open sided canopies and a covered walkway. Whilst the canopies have been erected on site, the covered walkway has not.
- 3.4 In 2014, planning permission was granted to enlarge the space used by the coffee shop.
- 3.5 In 2018, planning permission was granted for the widening and improvements to the existing access road and new access gates into the adjacent field.

4 Relevant Policies and Guidance4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.3). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy E8: Development in the Green Belt

4.3 **Part 2 Local Plan (Draft)**

4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 10 representations in relation to Policy 8 and 11 representations in relation to Policy 17. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policy 17. Whilst this is not the Inspector's final report, and the examination into the Local Plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight. As the Inspector made further comments in respect of Policy 8 this can only be afforded limited weight at this time.

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, design and amenity

4.4 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 13 – Protecting Green Belt Land

5 Consultations

5.1 **Highway Authority:** Raise no objections, advise the access road up to the garden centre is private and not in the control of the Highway Authority. The only narrow part of the access is over the bridge which is single access. The access from Stapleford Road is of sufficient width with suitable visibility.

5.2 **Nottinghamshire County Council Rights of Way:** No objections.

5.3 **Local Lead Flood Authority:** Advise full determination cannot be provided due to the lack of information submitted regarding drainage.

5.4 **Cadent Gas:** Advise on the possibility of gas associated apparatus within the vicinity of the application site.

5.5 Twelve properties either adjoining or opposite the site were consulted and a site notice was displayed. No responses were received.

6 Assessment

6.1 The main issues for consideration are whether or not the development constitutes appropriate development in the Green Belt, the design and appearance of the proposal, the impact upon neighbouring amenity and highway safety.

6.2 **Green Belt**

6.2.1 The existing garden centre is located off the main road off Stapleford Road and is screened from the main road by industrial units, residential dwellings and a bank of mature trees. The site consists of a main garden centre building and external car park, with the land rising to the north east section of the car park. Due to the site being set within a former quarry, the rear external sales area for which the existing canopy extension is located is set significantly lower than the surrounding land, limiting the views of the external sales area. Furthermore, the entire external sales area is surrounding by mature trees along the boundary, further limiting views into the site from the surrounding open fields.

6.2.2 In terms of the proposed structures, the application proposes the provision of a series of open ended canopy structures attached to the rear of the existing canopy extension. This will incorporate the existing external storage area and a proposed goods in, handling and processing area directly to the rear of the external sales area. Within the proposed canopy adjacent the existing café area, the café is proposed to be extended to provide a larger area. A two storey children's play area, set approximately 1.5m higher than the existing building and canopy extension is proposed.

6.2.3 Whilst there would be limited views of the proposed extensions due the land levels and existing mature trees around the boundary of the existing external sales area, Part 13 – Protecting Green Belt Land of the National Planning Policy Framework 2019 (NPPF), paragraph 143 advises inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 identifies the extension or alteration of a building as appropriate development provided that it does not result in disproportionate additions over and above the size of the original building.

6.2.4 It should be noted that there is no clear guidance in the NPPF about what may amount to disproportionate additions to buildings. When considering disproportionate additions, regard should be given to the external dimensions, height, volume and floor area in relation to the original building.

6.2.5 The original building for the purpose of this application is considered to be the main sales building, for which provides the main entrance into the garden centre from the car park and occupies a floor area of approximately 2400m². The coffee shop and external sales area which were granted planning permission in 2004 occupy a floor area of approximately 1200m². The proposed external canopy areas, children's play area and goods in, handling and processing area combined

with the previous extensions, will equate to an additional floor area of approximately 3750m².

- 6.2.6 The further increase in floor area by approximately 3750m² in addition to the previous extension of 1200m² would result in a 156% increase compared to the original building. This is considered to result in a disproportionate addition to the original building in the Green Belt, and is therefore considered to conflict with paragraph 145 of the NPPF 2019. Although there is a general lack of guidance in respect of what is considered to amount to a disproportionate addition, policy E8 – Development in the Green Belt of the Broxtowe Local Plan 2004 currently allows for additions of 50%. The draft Local Plan Policy 8 – Development in the Green Belt reduces this allowance to 30%. Whilst there are limited views into the site, there would be harm to the openness through introducing a large built development in the Green Belt.
- 6.2.7 It is therefore necessary to consider whether very special circumstances exist. Whilst it is recognised that most of the proposed development would not be visible from outside the site itself, the proposed canopy extensions will cover most of the existing open external rear sales area. The submitted Design and Access Statement states that the development is essential to allow the business to continue to grow and develop to ensure that it can compete with fast moving and ever changing retail trends. It is further advised that the existing open canopies provide plant frost protection and have proved successful. It has also proved popular with customers allowing all year round access to parts of the exterior sales areas. It is noted that garden centres over the years has changed from general plant sales etc to extensive retail operations selling ranges of gardening and more general household goods. The site already benefits from an existing large coffee shop which is proposed to be extended as part of this planning application.
- 6.2.8 There is no doubt that the proposed increase in covered retail floor space would have the potential to increase the profitability of the garden centre, add to consumer choice within the premises and provide a certain amount of additional local employment. However it has not been demonstrated that the proposed canopy extensions are either necessary or essential for the proper functioning and/or viability of the garden centre, or to meet some other need. In relation to competition, few details are given relating to the size, nature or location of such establishments. It should also be considered that the business could change to an alternative retail use in the future which would result in a significant retail store in a Green Belt location.
- 6.2.9 It is considered that the very special circumstances put forward to justify the granting of the development are not sufficient to outweigh the significant harm resulting from the inappropriate development in the Green Belt.
- 6.3 Retail Impact
- 6.3.1 Whilst the proposal comprises a significant retail extension outside of a town centre, as the external areas can already be used for the sale of retail goods the potential impact on existing town centres is considered to be limited.

6.4 Design and Appearance

6.4.1 The proposed canopies will consist of an open sided steel structure with a profile sheet composite roof. The canopies will be set at the same height as the canopy granted planning permission in 2004. Although the proposed children's play area will be set at a height of 1.5m above the main garden centre building and existing canopy, given its location to the rear of the main building the visual impact of this structure will be limited. Given the location of the proposed extension to the rear of the main garden centre building and the existing boundary treatment it is considered the proposal is of an acceptable design.

6.5 Residential Amenity

6.5.1 The application site occupies a standalone location that is approximately 180m from the nearest residential dwellings located on Northern Drive. Furthermore there is a railway line and a bank of trees between the dwellings and the garden centre. It is therefore considered that the proposed extensions will not have any impact on the amenity of any other neighbouring properties.

6.6 Highway Safety

6.6.1 No objections have been received from the Highway Authority. The access road up to the garden centre is private and not in the control of the Highway Authority. The access from Stapleford Road is of sufficient width with suitable visibility. The only narrow part of the access is over the bridge which is single access. Beyond the bridge the access road has recently been widened in accordance with planning reference number 18/00084/FUL. Adjacent to and to the rear of the main building there is an existing car park which is of an adequate size to serve the garden centre. There are no highway safety issues relating to this application.

6.7 Other issues

6.7.1 A Section 52 Agreement restricts which goods can be sold from the site and specifies the area of the site they can be sold from. In the event that planning permission is granted, this would have to be subject to the Section 52 Agreement being updated to reflect the proposed extensions.

7 Planning Balance

7.1 The benefits of the proposal are that the applicant proposes a major investment which is designed to improve the customer experience of an existing established business in the locality, helping to maintain the long term, viability of the business, creating job security for existing staff and creating additional employment opportunities.

7.2 The negative impacts are the size of the extensions are considered to represent a disproportionate addition to the size of the original building which would be inappropriate development and harmful to the openness of the Green Belt.

7.3 On balance it is considered that the benefits are not outweighed by the harm of the proposal to the openness the Green Belt.

8 Conclusion

- 8.1 The proposed extensions along with the previous canopy extensions are considered to represent disproportionate extensions to the original building, therefore representing inappropriate development that is harmful to the openness of the Green Belt. Whilst the applicant has put forward a case for very special circumstances it is considered that the benefits of the proposal do not outweigh the substantial harm to the Green Belt.

Recommendation

The Committee is asked to RESOLVE that planning permission be refused for the following reason:




The proposal constitutes inappropriate development within the Green Belt as the proposed extensions, in conjunction with the existing extensions, represent a disproportionate addition to the size of the original building. There are insufficient very special circumstances demonstrated to clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness. Accordingly the proposal is contrary to Saved Policy E8 of the Broxtowe Local Plan 2004, Policy 8 of the Draft Part 2 Local Plan and Section 13: Protecting Green Belt Land of the National Planning Policy Framework (NPPF) 2019 and there are no other material considerations that justify treating this proposal as an exception.

Note to Applicant

The Council has tried to act positively and proactively in the determination of this application. However, it was considered that there were not any minor alterations which could be made to the scheme to make the proposal acceptable.



Legend

-  Site
-  Long distance trails
-  Green Belt (Local Plan)

Photographs

View of trees surrounding rear yard area from car park.



Existing garden centre building.



Existing open rear sales area.



Boundary treatment along north east boundary.



Location of proposed children's play area.



Rear of open sales area.

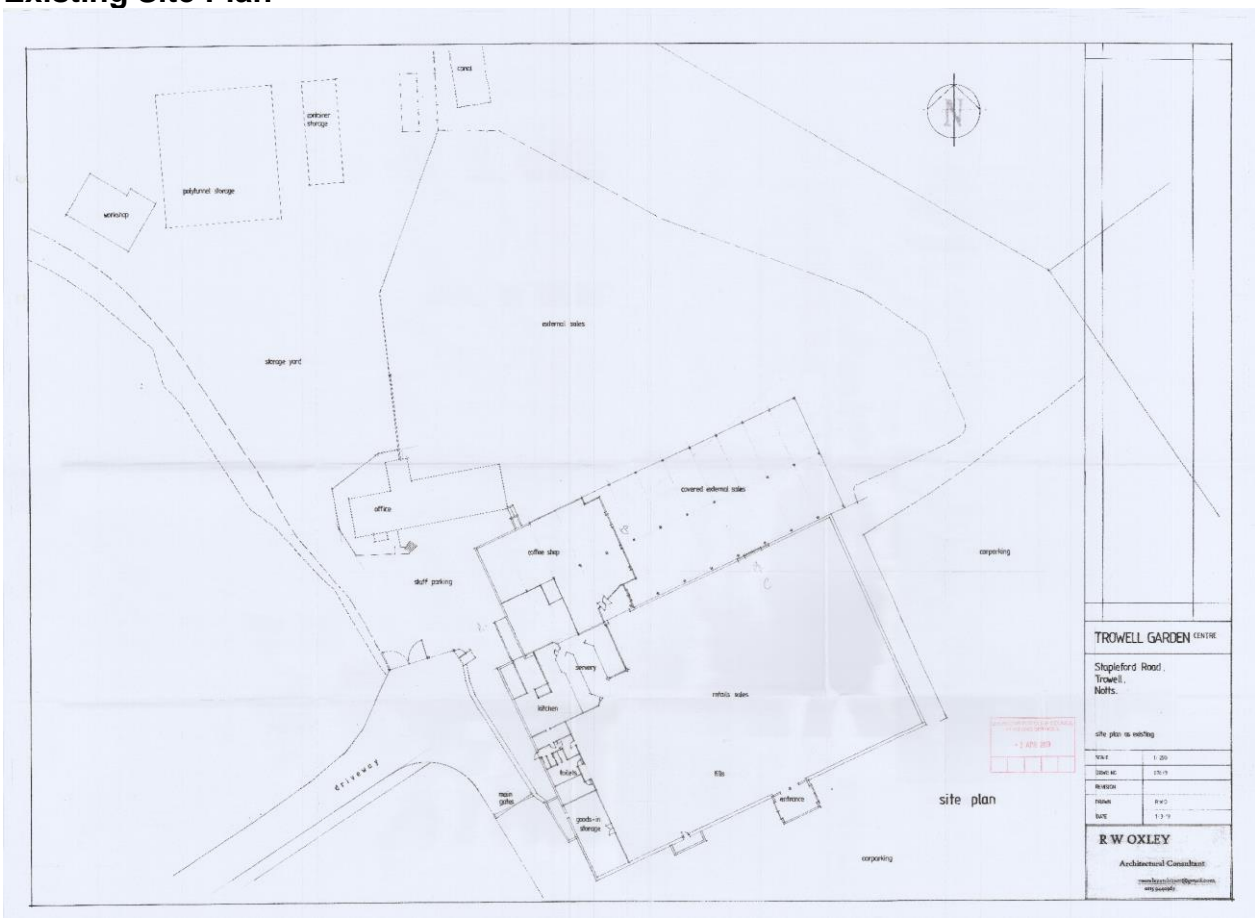


Location of proposed goods in building.

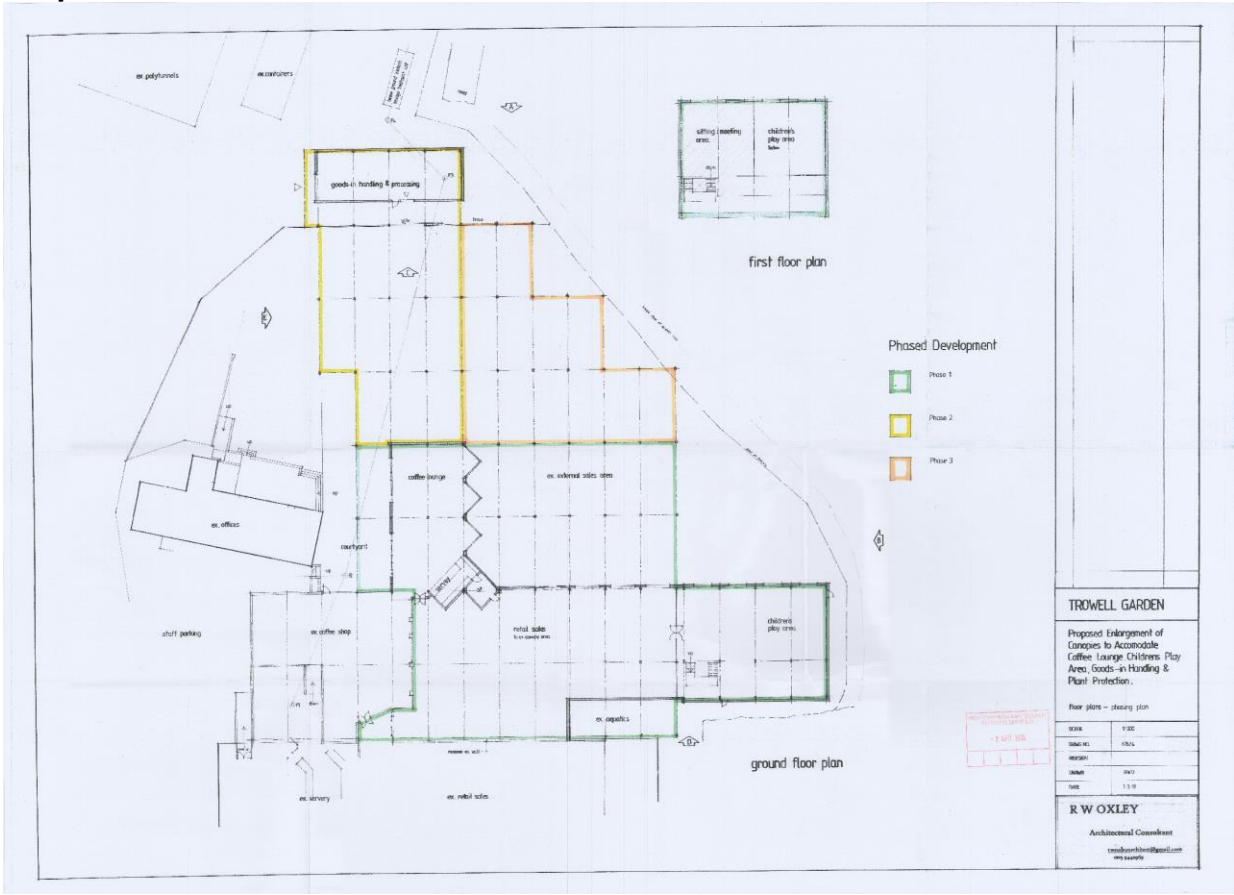


Plans (not to scale)

Existing Site Plan



Proposed Floor Plan



Proposed Roof Plan



Proposed Elevations

