

Agenda Item A7	Committee Date 20 August 2018	Application Number 18/00639/FUL
Application Site Bay View Garden Centre Mill Lane Bolton Le Sands Carnforth	Proposal Demolition of various buildings, erection of glasshouse and open sided canopies, construction of car park and associated landscaping	
Name of Applicant L And P Clarke	Name of Agent Mr Chris Primett	
Decision Target Date 2 August 2018	Reason For Delay Committee cycle	
Case Officer	Mr Andrew Clement	
Departure	Yes	
Summary of Recommendation	Approval subject to agreement on tree details	

(i) Procedural Matters

The application would ordinarily be determined under delegated powers, but the scheme is a departure from the Development Plan (given its location within the North Lancashire Green Belt), and Officers are recommending support of the scheme. Therefore it has to be determined by Planning Committee.

1.0 The Site and its Surroundings

1.1 The application site relates to an established garden centre in Bolton-le-Sands, to the west of the railway (the west coast mainline) and to the north of Mill Lane. The site is immediately north of an existing dwellinghouse within the same ownership, and part of a built cluster of former mill buildings, now converted to predominantly residential dwellinghouses and a small furniture warehouse. The site is within the North Lancashire Green Belt and the District's Countryside Area, and approximately 150 metres west of the site is the Lancashire Coastal Way public right of way route, beyond which is the Morecambe Bay Special Area of Conservation, Special Protection Area, RAMSAR, and Site of Special Scientific Interest (SSSI).

2.0 The Proposal

2.1 The application proposes the installation of walls to the existing open ended structure to partially enclose this space for garden centre sales and café seating area, with an extension to this retail space projecting 10.8 metres to the north of the existing structure and a further 9.6 metre projection to provide an open sided canopy for the display of plants under protection from the weather. Another open sided canopy area, measuring 7.6 metres by 22.3 metres, is also proposed to the east of the proposed extension, linking the two existing buildings and the proposed extensions. To facilitate the proposed extensions, the following is proposed:

- additional car parking and service yard area with associated landscaping;
- removal and demolition of a number of existing polytunnels and structures; and
- amalgamation of the covered space into the retained buildings.

3.0 Site History

3.1 The most relevant planning application and pre-application advice to the site is set out below:

Application Number	Proposal	Decision
95/00168/FUL	Erection of two poly tunnels	Permitted
00/00247/FUL	Erection of a greenhouse extension	Permitted
06/01576/FUL	Erection of a replacement shop and new cafe building and improvements to car park	Permitted
16/00127/PREONE	Erection of a Venlo greenhouse extension to current building	Advice provided

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Parish Council	No observation received
Tree Protection Officer	Objection due to the lack of detailed tree related information submitted with the application proposing the removal of trees
County Highways	No objection , subject to the agreement of a construction method statement and additional signage and road markings to mitigate increased traffic movements and maintain highway safety
Environmental Health	No observation received
Network Rail	No objection. Comments regarding requirements for works within proximity to the operational railway
Cadent Gas	No objection. Comments regarding requirements for works within proximity to gas pipes

5.0 Neighbour Representations

5.1 No observations received to date, with the publication, advertisement and site notice consultation period due to expire on 10 August 2018. Any consultation responses received will be reported verbally to the Planning Committee meeting.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF) 2018

Paragraphs 8 and 11 – Sustainable Development
Section 6 – Building a strong, competitive economy
Section 9 – Promoting Sustainable Transport
Section 12 – Achieving well-designed places
Section 13 – Protecting Green Belt land
Section 15 – Conserving and Enhancing the Natural Environment

6.2 Development Management DPD

DM7 – Economic Development in Rural Areas
DM11 – Development in the Green Belt
DM16 – Small Business Generation
DM21 – Walking and Cycling
DM22 – Vehicle Parking Provision
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM29 – Protection of Trees, Hedgerows and Woodland
DM35 – Key Design Principles
Appendix B – Car Parking Standards

6.3 Lancaster District Core Strategy Saved Policies (adopted July 2008)

SC5 – Achieving Quality in design

6.4 Lancaster District Local Plan Saved Policies (adopted April 2004)

E1 – Green Belts

E4 – Development within the Countryside

E5 – Coastlines

7.0 Comment and Analysis

7.1 The key material considerations arising from the proposal are:

- Principle of the Development;
- Promoting and Enhancing the District's Economy
- Scale, Design and Landscape Impact upon the Openness of the Green Belt;
- Impact upon trees and hedgerows;
- Highways and Parking; and
- Residential Amenity.

7.2 Principle of the Development

7.2.1 The site is an existing and established garden centre located to the west side of Bolton-le-Sands, within the North Lancashire Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt, except for the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building, which is amongst other exception cases for development within the Green Belt. Substantial weight is given to any harm to the Green Belt, and any harm resulting from the proposal must be clearly outweighed by other considerations.

7.2.2 The proposal seeks for the extension and alterations to the existing garden centre buildings, expanding upon the existing garden centre and ancillary homeware and café elements of the business. These developments are to be facilitated by the removal of several existing small scale structures, in addition to an increased parking and service yard area to address an existing issue of insufficient parking provision and to provide adequate facilities for the proposed expansion.

7.2.3 Subject to the issues discussed later in this report, the principle of the development to refurbish and expand the existing garden centre business is acceptable under exceptional development within the Green Belt.

7.3 Promoting and Enhancing the District's Economy

7.3.1 A garden centre business has been established in this location for 30 years, and currently employs 46 people full-time. The application form anticipates that the proposed developments and expansion of the business will facilitate an additional 12 people being employed full-time by the business, totalling 58 following development. The last planning permission for development at this site was granted in 2007, and further development of these existing facilities to compete with the altered market over this period and into the future will hopefully allow the continuation of the garden centre operating from this site. This brings economically sustainable benefits, expanding the existing business and allowing this to continue to operate from this site within the District. Paragraph 83 of the NPPF encourages planning decisions that enable the sustainable growth and expansion of rural business through conversion of existing buildings and well-designed new buildings.

7.3.2 Given the duration that the business has operated from this site, the garden centre use is considered to be the optimal viable use of this site, and its retention should be encouraged and weigh in favour of the proposal. Garden centre uses tend to occupy out of centre locations due to the scale and external area required, and the retention of this use through the expansion of the existing garden centre would hopefully contribute to the continued operation at this site, rather than seeking new premises in an alternative rural location within or outside of the District. Expansion of existing facilities is often the most sustainable approach to economic development, and subject the a condition controlling the appropriate expansion of garden centre sales area and existing café use,

the proposal will contribute sustainable economic benefits that weigh in favour of this proposal. The application is considered to contribute positively to the criteria within policies DM7, DM16 and NPPF Sections 6.

7.4 Scale, Design and Landscape Impact upon the Openness of the Green Belt

7.4.1 The proposed developments are of a matching or slightly subservient height to the existing buildings, and through amended plans received to address concerns regarding aspects from the open west side of the site, the entrance and canopy structures to the western part of the extensions have been reduced to an eaves height of 2.7 metres above finished floor level and ridge of 3 metres tall. The proposal would result in an additional 746 sq.m of covered floorspace, further to the existing 1,265 sq.m existing floor area of the two main buildings and open ended canopy. This excludes the structures to be removed, which are predominantly lightweight and temporary structures such as polytunnels and cabins. However, given the matching and subservient heights at the floorspace proposed, these are considered to be proportionate additions to the original buildings, meeting this exception criteria. Although the structures to be removed as part of the proposal are relatively modest in height and scale, however cumulatively these total 550 sq.m in floorspace, and the eradication of these poorly designed structure spread across the site will benefit the openness of the Green Belt. The proposed replacement development more closely sited to the existing established building group, and the amalgamation of built form through removal of existing structures across the site weighs in favours in terms of impact upon the openness of the Green Belt.

7.4.2 This western elevation is to be finished in a timber frame and glazing, under a clear polycarbonate roof, similar to the taller profiled metal framed retail space and open sided canopies. The additional walls to the existing structure are to be finished in matching materials of green profiled metal and glazing. These materials are commonly used for garden centre buildings. The predominantly light green or transparent colours are considered to be appropriate to the proposed use and sympathetic to the Green Belt in which the site is located, consistent with policy DM35 and NPPF Section 12.

7.4.3 Although proportionate and finished in appropriate materials, given the increase built form and visibility within the Green Belt, this will have a greater impact on the openness of the Green Belt than the existing development. Substantial weight is given to any harm to the Green Belt, and this should be mitigated and balanced against the positives of the proposal, as detailed within the concluding paragraph 9.1 of this report.

7.5 Impact upon trees and hedgerows

7.5.1 There are a large number of existing trees and hedgerows within the site, as detailed in the submitted Arboriculturalist's Report. The Council's Tree Protection Officer has objected to the proposal due to the lack of tree related information, namely a detailed Arboricultural Implications Assessment (AIA). This AIA is required due to the proposed site plan indicating the removal of three trees and a 50 metre length of hedgerow, which must be satisfactorily mitigated through replacement planting, and must ensure all other trees within the site can be protected during the development and retained and maintained thereafter.

7.5.2 It should be noted that the presently submitted arboricultural information falls short of addressing this objection. However, a detailed AIA and proposed mitigative planting scheme is expected to be received shortly, which can be verbally reported along with an updated Tree Officer consultation response to the Planning Committee meeting. The mitigative planting scheme has been discussed with the agent, and an element of planting to the western elevation of the proposed entrance structure is anticipated to form part of the proposed planting scheme to provide visual mitigation to the development. Satisfactorily addressing this objection and proposing suitable mitigative planting will form an important factor in whether there are sufficient benefits to the proposal to clearly outweigh the potential harm to the Green Belt.

7.6 Highways and Parking

7.6.1 The site has an existing parking provision of 51 vehicle spaces and additional staff parking, which the submitted Design and Access Statement declares as insufficient for the existing use. The proposed parking is to include 78 parking spaces, including 11 parking spaces for staff and 4 accessible spaces, 3 motorcycle parking spaces and an increase in bicycle parking. Overall the car parking provision available to customers is to increase by 16 through the proposal. The proposal

adhere to the parking standards in Appendix B of the Development Management DPD (applying retail warehouse standards given the works are to sales areas), and therefore the proposed parking and service yard area is considered to offer sufficient provision to cause no severe impact upon the highway.

7.6.2 The site is accessed either over the single width bridge on Mill Lane across the railway line, or through a narrowing of St Nicholas Lane under the railway line, both of which accommodate two direction traffic. The County Highway consultee returned no objection to the proposal, although improvements to signage and a construction management plan have been recommended through planning conditions. This is required to satisfactorily mitigate the increased vehicular movements the expanded garden centre may attract, as recognised in the Design and Access Statement and through proposed additional parking, combined with the limitations of the existing highway access. The construction management plan would be expected to detail suitable delivery arrangements and works compound areas that do not restrict the use of the existing parking provision if the garden centre is to remain open or partially open for business during construction. Subject to these conditions and agreement of satisfactory details, the proposal is considered to include sufficient parking provision and would result in no severe highway impact, compatible with policies DM21, DM22 and NPPF Section 9.

7.7 Residential Amenity

7.7.1 The application site is within a small building group of predominantly residential properties, immediately north of an existing dwellinghouse under the same ownership. The application proposes to use approximately 190 sq.m of existing residential curtilage area to this dwellinghouse for the expanded parking provision for the garden centre use by moving the existing retaining wall. Although this will reduce the level of amenity that this dwellinghouse currently experiences, the property will continue to be set within an ample curtilage with sufficient private amenity space, and therefore the proposal retains a satisfactory level of residential amenity for occupiers.

7.7.2 There are a number of dwellinghouses to the opposite south side of Mill Lane, whom may notice an increase in vehicular movements to and from the proposal, but this would not be to the detriment of residential amenity. A small area of landscaping is proposed to the south of the proposed parking provision, and proposed extensions are located over 80 metres from the nearest neighbouring resident. The proposal is considered to have an acceptable impact upon residential amenity.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

9.1 The proposal seeks to expand upon an established garden centre use, facilitating the continuation of this business within its existing site, which represents an economically sustainable development. The proposal is considered to have an acceptable impact upon residential amenity and the public highway, subject to planning conditions, and has been designed and located in a manner to minimise the visual and landscape impact upon the openness of the Green Belt. Subject to these reports and documentation being received in sufficient time to be presented at Planning Committee and to the satisfaction of the Tree Officer to address the current objection, it is considered that the economic and sustainability benefits of the proposal outweigh the substantial weight given to the impact on the openness of the Green Belt, especially given the enhancements proposed by virtue of the removal of the existing scattered structures. Therefore if the tree objection is addressed prior to determination, the application can be supported.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development to be carried out in accordance with the amended plans
3. Construction management plan (to detail suitable delivery arrangements, works compound areas and customer, staff and contractors parking provision during construction)
4. Implementation of approved Arboricultural Implications Assessment (details to be agreed prior to

- determination)
5. Remove polytunnels and structure indicated on site plan prior to erection of any of the extensions hereby permitted
 6. Off-site highways improvement works to signage and road marking prior to first use or occupation
 7. Parking provision and service yard provided in full prior to first use or occupation and retained for this purpose
 8. Implementation of approved landscaping scheme (details to be agreed prior to determination) and maintained and retained at all times thereafter
 9. Sales area and café seating area as per floorplan. Café use incidental to main use and only open to public when garden centre is trading. Restriction for the sales of plants and garden related items only.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None