

APPLICATION REPORT – 21/00779/FULMAJ

Validation Date: 16 July 2021

Ward: Chorley South West

Type of Application: Major Full Planning

Proposal: 1) Extension of car park 2) Erection of storage building, following the demolition of the existing glasshouse

Location: Birkacre Nurseries Ltd Birkacre Road Chorley PR7 3QL

Case Officer: Amy Aspinall

Applicant: Mr S Ainscough, Birkacre Garden Centre

Agent: Mr Tony Lawson, LMP Ltd.

Consultation expiry: 24 January 2022

Decision due by: 15 October 2021

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located wholly within the Green Belt, as defined by the Chorley Local Plan Policies Map, along Birkacre Road and is occupied by Birkacre garden centre.

3.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks planning permission for the erection of a storage building to replace the existing glasshouse. The car park would also be extended, and part of the existing car park would be reconfigured.
5. The application as originally submitted, also proposed a new vehicular access onto Birkacre Road, dedicated to servicing and delivery vehicles. The proposed access has been removed from the scheme.

REPRESENTATIONS

6. No representations have been received.

CONSULTATIONS

7. Lancashire County Council Highway Services (LCC Highway Services) - Advise that approval is not recommended.

Officer note – the comments relate to the scheme before the proposed access was omitted from the development. The applicant has addressed other comments raised by LCC Highway Services, however, no consultation response has been received in relation to the amended plans.

8. Regulatory Services - Environmental Health - Have not commented on the application.
9. The Coal Authority - Advise that they have no objection subject to a condition for a scheme of intrusive investigations.
10. Greater Manchester Ecology Unit - Advise that they have no objections and recommend a number of conditions.

PLANNING CONSIDERATIONS

Principle of the development in the Green Belt

11. The application site is located within the Green Belt, as defined by the Chorley Local Plan Policies Map. Section 13 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
12. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms 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.
13. Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions. One exception listed at paragraph 149 (d) is for the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
14. The Rural Development Supplementary Planning Document sets out a threshold of 30% not being materially larger. The proposed storage building would replace the existing glasshouse which is also used for the same purpose. In volumetric terms, the proposed building would be 27% larger in volume, but would have a reduction in floorspace of approximately 31%. It is not, therefore, materially larger and the proposed building satisfactorily falls within exception (d) of paragraph 149.
15. The car park extension and reconfiguration of existing parking would be within the confines of the existing hardstanding currently used as outdoor storage. There would be no change of use of the land and would not constitute an engineering operation. In respect of openness, vehicles would only be parked during opening hours of the business, and there would be less visual impact as a result of materials being stored internally.

Impact on the character and appearance of the area

16. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
17. The proposed storage building would replace an existing glasshouse at the site and would be situated roughly on the same footprint. The proposed building would measure approximately 22 metres by 6 metres within a height of 5.9 metres. Although taller in height than the existing building, it would have a reduced floor area. The appearance of the building is similar to a standard industrial unit, which is functional in its design. The car park would be extended to the south, in an area already used for servicing and storage. Any views of the proposal would

be seen in the context of the existing established site and existing buildings and paraphernalia associated with the garden centre use.

18. Having regard to the above and the nature of the site, it is not considered that the proposal would be harmful to the character and appearance of the area. The proposal accords with policy BNE1 Chorley Local Plan 2012 – 2026 in respect of design.

Impact on neighbouring amenity

19. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

20. The site is relatively well separated from neighbouring residential properties, and it is not considered that the proposed development would give rise to adverse amenity impacts, having regard to policy BNE1 Chorley Local Plan 2012 – 2026.

Impact on ecological interests

21. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; in a number of ways including:

- i. Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council;
 - ii. Protecting, safeguarding and enhancing habitats for European, nationally and locally important species;
 - iii. The ecology of the site and the surrounding area (safeguarding existing habitats / features such as but not exclusive to trees, hedgerows, ponds and streams), unless justified otherwise;
 - iv. When considering applications for planning permission, protecting, conserving, restoring and enhancing Chorley's ecological network and providing links to the network from and/or through the proposed development site.
- In addition, development must adhere to the provisions set out below:
- a) The production of a net gain in biodiversity where possible by designing in wildlife and by ensuring that any adverse impacts are avoided or if unavoidable are reduced or appropriately mitigated and/or compensated;
 - b) The provision of opportunities for habitats and species to adapt to climate change;
 - c) The support and encouragement of enhancements which contribute to habitat restoration;

22. Whilst the application site itself is of limited ecological value, it is surrounded by high value sites such as the Yarrow Valley Park Biological Heritage Site (BHS). It should be noted that a small area of the BHS does fall within the application site, however, it is already laid to hardstanding and utilised as part of the garden centre for storage and servicing. This habitat is not a qualifying feature of the BHS, nor does it meet the criteria for designation and would not be a significant loss of designated land at a county level.

23. An ecological survey has been submitted which incorporates an extended Phase 1 Habitat Survey and a daylight licensed bat and barn owl survey and assessment. The survey establishes that the proposed development would have no adverse direct or indirect effect on statutory designated sites for nature conservation.

24. In terms of bats, which are a protected species, no evidence of current or previous use of the existing building was found, and the survey identifies them as having negligible suitability for use by roosting bats.
25. The ecological survey provides that there would be no adverse effect on designated sites for nature conservation, irreplaceable habitats or rare plant species as a result of the proposed development. Recommendations are made in respect of biodiversity enhancements, and measures to prevent harm to habitats and species during construction. The Council's appointed ecologists at Greater Manchester Ecology Unit (GMEU) have assessed the application and raise no objection. Conditions are advised in relation to the submission of a Construction Environmental Management Plan (CEMP), details of lighting, and measures for biodiversity.
26. It should be noted that these details have been submitted prior to determination, and comments from GMEU on the acceptability of the submitted scheme are awaited. Should the information be satisfactory, the measures would need to be implemented and would be secured by way of conditions. Should the information not be satisfactory, the details could be secured by way of planning conditions to be submitted prior to commencement of the development.
27. Subject to conditions, the proposed development would not be detrimental to nature conservation and accords with policy BNE9 of the Chorley Local Plan 2012 – 2026.

Highway safety

28. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
29. It is important to note that the application originally proposed a new vehicular access to Birkacre Road to provide a dedicated access for servicing and deliveries. This has been removed from the scheme which now solely relates to the erection of a replacement storage building and to extend the car park, including reconfiguration of some spaces within the existing car park. The existing access points would be utilised, as per the current established arrangements.
30. LCC Highway Services have not provided comments on the latest amended plan, but the scheme has addressed their comments specifically in relation to parking, namely the dimensions of parking spaces and the provision of a clear manoeuvring aisle to measure 6 metres.
31. The proposed building does not generate an additional parking requirement as it is a replacement building and also has less floor space. It would not place any additional demands on parking or traffic at the site. The scheme seeks to tackle existing parking demands of the site, and would provide an additional 33no. spaces overall, after some existing spaces have been reconfigured. The new spaces meet the spacing requirements of 2.4 metres by 4.8 metres and a 6 metre aisle is achieved. This meets the standards of LCC and would be adequate for safe manoeuvring of vehicles when using the spaces. The Local Planning Authority is satisfied that the proposed development would not prejudice highway safety and is in accord with policy BNE1 of the Chorley Local Plan 2012 – 2026.

Land stability

32. The Coal Authority have assessed the application and advise that further investigations are required. They recommend a condition requiring intrusive investigations and this would be secured by way of a planning condition.

CONCLUSION

33. The proposal is not inappropriate development in the Green Belt and would not be harmful to the character and appearance of the area. There would be no adverse impacts on the residential amenity afforded to nearby residential properties, nor would it prejudice highway safety, and subject to conditions, the proposal would not be detrimental to nature conservation interests. The application is recommended for approval, subject to conditions.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

RELEVANT HISTORY OF THE SITE

Various history across the site.

Ref: 18/00587/FUL **Decision:** PERFPF **Decision Date:** 31 January 2019
Description: Erection of a cafe building to replace existing open sided metal framed building and car park extension

Ref: 19/00674/FUL **Decision:** PERFPF **Decision Date:** 5 September 2019
Description: Erection of building to accommodate a biomass boiler and external silo for the heating of garden centre buildings

Suggested conditions

To follow.