

**Item 7**                      **11/00719/FULMAJ**

**Case Officer**            **Caron Taylor**

**Ward**                        **Chisnall**

**Proposal**                    **Section 73 application to very condition 1 of permission ref: 10/00267/FULMAJ for an amendment to replace part of the approved glasshouse with two poly tunnels and to turn the bays of the remaining glasshouse 90 degrees to run east to west. Also to change the originally proposed boiler house so it is incorporated into the glasshouse rather than be a separate structure. It is also proposed to amend the amount of internal growing area from the previously approved 1.3 acres to 1.46 acres.**

**Location**                    **Land North Of Pole Green Nurseries And Adjacent To Church Lane Church Lane Charnock Richard Lancashire**

**Applicant**                    **Mr George Brennand**

**Consultation expiry:**    **14 September 2011**

**Application expiry:**    **7 November 2011**

**Proposal**

1. The application is an application for a minor material amendment under Section 73 to very condition 1 of permission ref: 10/00267/FULMAJ to allow changes to be made to the approved scheme. The changes involve replacing part of the approved glasshouse with two poly tunnels and to turn the bays of the remaining glasshouse 90 degrees to run east to west, also to change the originally proposed boiler house so it is incorporated into the glasshouse rather than be a separate structure. It is also proposed to amend the amount of internal growing area from the previously approved 1.3 acres to 1.46 acres.
2. The original application 10/00267/FULMAJ was approved in June 2011.
3. Pole Green Nursery site was originally entirely to the south of Church Lane, the previous permission was to move the glass house, boiler house, machinery store/planting shed and water tank, and horticultural growing space onto the land the subject of this application to north of Church Lane, opposite the existing site. The retail sales area and building will remain on the existing site (to the south). Work on the previous permission has already started and it has therefore been implemented.

**Recommendation**

4. It is recommended that this application is granted planning approval.

**Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Background information
  - Impact on the neighbours
  - Design
  - Trees and Landscape
  - Ecology
  - Flood Risk

**Representations**

6. One letter of objection have been received  
This is just another step to moving completely across the road. The land is Green Belt.
7. Charnock Richard Parish Council does not object to the application.

**Consultations**

8. **Sport England**  
Sport England has no objection to the amendments.

## **Applicants Case**

9. The application is proposing replacement of part of the proposed glasshouse with poly tunnels. The applicant has recently utilised poly tunnels on his existing site south of Church Lane (following permission referenced 10/0667/FUL) and would now wish to incorporate them onto the new site. They offer several advantages over traditional glass growing structures, including improved ventilation and air flow, better light quality and lower energy/heat requirements, and would therefore improve the proposed growing operation;
10. The proposed glasshouse would be slightly reconfigured, such that the bays of the structure run in an east-west direction, rather than the original north-south. This would allow the rain water to drain utilising the natural gradient of the land. The change in bay direction has also led to slight changes in the position of doors on the eastern elevation;
11. The total internal growing area has increased from the original 1.3 acres to 1.46 acres. The original application was made to replace the existing structures present south of Church Lane. However, following that consent, a further application was made, and consented, for the erection of further poly tunnels on the existing site (10/0667/FUL). This current application seeks to add these 'new' tunnels to the growing area north of Church Lane, although for clarity those south of Church Lane will be removed once the new development is in place;
12. The boiler house has been incorporated into the structure of the glasshouse, rather than as a separate building;
13. The changes will improve the efficiency of the works on site and will make the working and growing areas more flexible, allowing the owners to react more swiftly to the changing weather conditions etc.

## **Assessment**

### Principle of the development

14. As this is minor material amendment to the original permission the Government advise that the proposal will already have been judged to be acceptable in principle at an earlier date. Planning authorities should, in making their decision, focus their attention on national or local policies or other material considerations which may have changed significantly since the original grant of permission, as well as the changes sought.
15. The principle of the development has already been established by permission 10/00267/FULMAJ, which is now extant. This report will therefore look at the acceptability of the proposed changes.
16. The changes will retain the greenhouse at the east of the site as approved but the roof ridges of the glass house bays will run east to west instead. The west part of the approved glasshouses will be changed to two growing polytunnels separated slightly from the grass houses but standing on a similar footprint. The original proposal also proposed a boiler house attached to the side of the glasshouse but the scheme now allows this to be house inside the glass house with steel cladding sheets to this area.
17. It is not considered that the proposal will have any more impact on the Green Belt or neighbouring properties than the existing permission.
18. A neighbour has objected to the scheme, but this is on the principle of the site being in the Green Belt and the extant permission has already established the principle of the proposal.
19. The changes do not result in different impact to the factors considered in the original application and the application is therefore recommended for approval.

## **Overall Conclusion**

20. The application is recommended for approval. It is not considered there has been a change to national or local policies or other material planning considerations that would mean the application is unacceptable. As this is a Section 73 application an approval will result in a new permission being granted, however this procedure cannot be used to vary the time limit for implementation of the permission the this timescale will be the same as for the original permission. The conditions of the original permission have been discharged and so the decision notice for this permission will reflect that e.g. by detailing the materials already approved.

## **Planning Policies**

### National Planning Policies:

PPG2

### **Planning History**

**10/00267/FULMAJ** Erection of a glass house, boiler house, machinery store/planting shed and water tank, creation of horticultural growing space and two new accesses all associated with Pole Green Nursery (opposite). Permitted June 2011

### **Recommendation: Permit Full Planning Permission Conditions**

1. The development hereby permitted shall not become operational until the existing buildings/green houses as shown on drawing no. P.577/05 have been demolished. All materials resulting from the demolition shall be removed from the site.  
*Reason: Replacements for these buildings have been allowed to the north of the site. To allow both to be retained would substantially increase the size of the operation which would have a detrimental impact on parking and highway safety.*
2. Before it is erected, details of the water storage tank shall be submitted to and approved in writing by the Local Planning Authority in accordance with the size parameters as specified in the planning application submission. The development shall only then be carried out in accordance with the approved details.  
*Reason: In the interests of the visual amenity of the Green Belt and in accordance with PPG2.*
3. The Machinery Store and Boiler House buildings shall use corrugated profiles steel roof cladding and corrugated profiled steel wall sheeting, both in Juniper Green, and concrete blockwork to the lower half.  
*Reason: To ensure that materials are appropriate to the locality and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*
4. The site landscaping shall be carried out as shown on drawing ref: P.577/05 Rev A submitted under discharge of conditions application 11/00167/DIS in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
*Reason: In the interest of the appearance of the locality and in accordance with PPS9 and Policy No DC1 of the Adopted Chorley Borough Local Plan Review.*
5. The development shall be carried out in accordance with the recommendations of the great crested newt survey report accompanying the application, unless otherwise agreed to in writing by the Local Planning Authority.  
*Reason: To ensure the protection of great crested newts and in accordance with PPS9.*
6. No part of the development hereby permitted shall become operational until both means of vehicular access as shown on drawing no P.577/01 Rev C, have been constructed in accordance with the approved plans. The re-planting of the new hedgerow as shown on the approved drawing shall be carried out in the first planting season after implementation of the new access unless otherwise agree to in writing by the Local Planning Authority.  
*Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*
7. The part of the site to the north of Church Lane shall be for horticultural growing purposes only. There shall be no retail sales or visiting members of the public allowed in the north part of the site as defined by the area in pink on drawing no. P0577/01 Rev C. All retail sales shall take place on the south side of Church Lane.  
*Reason: Horticulture is an appropriate use in the Green Belt. Retail sales in inappropriate and therefore harmful to the Green Belt in accordance with PPG2.*
8. Before the boiler at the site is installed its full specification shall be submitted to and approved in writing by the Local Planning Authority. The boiler shall then only be installed in accordance with the approved specification.  
*Reason: In the interests of neighbour amenity and accordance with PPS23.*

9. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.  
*Reason: To prevent foul flooding and pollution of the environment in accordance with PPS25 and Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.*
10. Surface water must drain to a soakaway.  
*Reason: To secure proper drainage and to prevent flooding and in accordance with PPS25 and Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.*
11. The fencing to the site shall be 1.8m high weldmesh fencing as shown in the approved details accompanying discharge of conditions application 11/00167/DIS .The site shall not become operational until all fences and walls shown in the approved details have been erected in conformity with the approved details.  
*Reason: To ensure a visually satisfactory form of development in the Green Belt in accordance with PPG2 and Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.*
12. The external lighting to the site shall be at the positions shown on drawing ref: P.577/05 Rev A. The external lighting is to be on a motion sensor and the west elevation if the planting shed/machinery store shall be shielded to prevent light spillage outside the site if necessary, as there is a residential property to the north. The external lights to be low energy providing light output to not more than the equivalent of a 150Watt Halogen lamp. The internal light to the glass house shall be as shown by the yellow area on plan P.577/06 Rev A. The strip lighting to be 1200/1500mm long, 36/58 watt florescent strip lighting. The lights (both external and internal) are only to be illuminated between the hours of 08.00hours and 19.00hours. The external lighting only will be on a motion sensor during the night for security purposes only, not to allow work to take place at the site.  
*Reason: To define the permission and in the interests of the visual amenities of the Green Belt in accordance with PPG2 and Policy DC1 of the Local Plan.*
13. No materials or equipment (other than plants, shrubs or trees) shall be stored on the north part of the site (as defined by the area in pink on drawing no. P0577/01 Rev B) other than inside the buildings unless otherwise agree to in writing by the Local Planning Authority.  
*Reason: In the interests of the visual amenity of the Green Belt and in accordance with PPG2 Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.*
14. The development hereby permitted shall use the external hard ground surfacing materials as shown on drawing ref: P.577/05 submitted under discharged of conditions application 11/00167/DIS. The hardsurfacing shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the site(rather than to the highway).  
*Reason: In the interests of highway safety and to prevent flooding, in accordance with PPS25.*