

Item B. 3 06/00915/FUL Permit retrospective planning permission

Case Officer Mr David Stirzaker

Ward Heath Charnock And Rivington

Proposal Retrospective application for the erection of 2 No. horticultural polytunnels and 1 No above ground water storage tank

Location Bramblewood Nursery Wigan Lane Heath Charnock LancashirePR7 4DD

Applicant Mr TM & Mrs C Stobbs

Background This application relates to Bramblewood Nursery, which is located on Wigan Lane in Heath Charnock. Members will recall this site has been the subject of numerous applications over recent years (see planning history section of this report).

Two appeals have recently been dealt with by informal hearing in relation to this site. The first was an appeal against the Council's non-determination of a planning application submitted in 2005 for the continued temporary siting of a mobile home to provide accommodation for the applicant and his family to run and manage Bramblewood Nursery (ref no. 05/00536/COU). This appeal was upheld and the Inspector granted planning permission for the caravan to remain on the site for a period of 3 years.

A second appeal, also heard at the same hearing against the Council's refusal to grant planning permission for the erection of an agricultural workers dwelling (ref no. 05/00217/FUL) was dismissed by the Inspector.

Proposal This application proposed two polytunnels and a water storage tank. As they have already been erected this application is submitted in retrospect by the applicant who is seeking to regularise the development.

The water storage tank is sited adjacent to the southwestern corner of a recently erected glasshouse and collects rainwater from the roof of the adjoining glasshouse block, which is then used for irrigation purposes on the nursery.

The polytunnels are sited adjacent to the southern perimeter of the site approx. 120m from the residential development on Rawlinson Lane. Each polytunnel measures 37m by 5.5m by 3.7m high and comprises of a metal frame. One is covered with green netting and the other is covered with blue polythene.

Policy GN5 - Building Design and Landscaping
DC1 - Development in the Green Belt
EP7 - Agricultural Development
PPG2 - Green Belts

Planning History

- Agricultural workers dwelling refused (Appeal dismissed) (ref no. 92/723)
- Agricultural workers dwelling (withdrawn before determination) (ref no. 02/965)
- Agricultural workers dwelling (refused) (ref no. 03/1016)
- Temporary caravan as dwelling for three years (withdrawn before determination) (ref no. 04/208)
- Erection of propagation glasshouse (permitted) (ref no. 04/209)
- Erection of production glasshouse (permitted) (ref no. 04/210)
- Erection of liner glasshouse (permitted) (ref no. 04/211)
- Erection of replacement glasshouse (permitted) (ref no. 04/211)
- Continued temporary use of land for the siting of a residential mobile home for a period of 2 years for occupation by agricultural worker (ref no. 05/536). This application was not determined and an appeal against non-determination has recently been upheld following an appeal hearing.
- Erection of agricultural workers dwelling (ref no. 05/217). This application was refused and an appeal against this has recently been dismissed following an appeal hearing.

Representations

Five letters of objection have been received in relation to the development from the occupiers of adjacent properties. These objections can be summarised as follows: -

- The applicant should give consideration to the immediate neighbours and the effect any development would have on the locality
- The polytunnels and water tank are visually intrusive and have a profoundly detrimental impact on the general aspect and quality of the area
- There can be no logical horticultural, agricultural, geographical, meteorological or logical reason to place these monstrosities parallel to houses on Rawlinson Lane
- The same applies to the water tank
- Two alternative positions have been suggest
- Objection is raised to the application being submitted in retrospect when the site owner has the support of the land agent company PWC
- The land is Green Belt and the applicant has not taken this open aspect into account
- Why would the water tank and polytunnels not be sympathetically placed out of sight so as not to be readily visible to the residents on Rawlinson Lane
- It has taken 8 months from the installation of the polytunnels and water tank for an opportunity to comment on the development
- The scale and appearance of the development has a significant impact on the character of the area
- Little thought has been given to the location and colour of the structures
- Current orientation and positions also affect the greater number of Bramblewoods residents

- The planning department must consider centralising and containing the operation and not allow development to sprawl unchecked across open Green Belt
- The bright blue polytunnel is neither compatible with the Green Belt or sensible horticulture
- Objection raised to the position and colour (blue) of the two polytunnels directly behind this property
- The polytunnels should be moved adjacent to Martins Avenue out of sight of the local residents

Consultations

LCC (Property Group) advise that the development is reasonably necessary for the purposes of agriculture. Comments are fully detailed in the assessment section of this report.

Heath Charnock Parish Council raise no objections to the application.

Assessment

The main issues in relation to this application are whether or not the development is reasonably necessary for the purposes of agriculture, the impact of the development on the open and rural character of the Green Belt and its impact on the residential amenities of the occupiers of the nearby residential properties.

Turning to the first matter, the County Land Agents comments can be summarised as follows: -

- Each of the polytunnels have specific design characteristics which provide a protected environment for growing or holding plant/tree stocks
- The applicants nursery business is an all year round operation which will require facilities to protect plants from different climate conditions and it is considered that the two tunnels are appropriate on the agricultural unit
- The water storage tank provides an appropriate store of water for plant irrigation purposes which will be a requirement for the nature of the applicants enterprise
- The purpose of the tanks is to save upon the cost of using mains water supply which will have financial benefits
- The size of the water store is not considered to be excessive
- The siting of the polytunnels and the water tank are considered to be appropriate from an operational point of view

On the basis of the comments received from the County Land Agent, it is clear that the development is considered to be reasonably necessary for the purposes of agriculture within the unit hence there are no objections raised on these grounds.

In terms of the impact of the development on the open and rural character of the Green Belt, the water tank is sited adjacent to the southernmost of the recently approved glass houses and has been wrapped in green netting to obscure the bare metal finish of the tank walls. The water tank is lower in height than the glass house and due to its close siting, it is not considered that it will lessen the open and rural character of the Green Belt. The polytunnels are typical features often found on nursery sites. One is covered with

green netting and the other is covered in blue plastic sheeting. They are sited towards the southern part of the site to the east of a part of the nursery which is used for the external growing/storage of plants hence they are considered to be appropriately sited from an operational perspective. The objections regarding the coverage of one of the polytunnels with blue plastic sheeting have been noted. However, the County Land Agent has confirmed that the polytunnels have specific design characteristics, which provide a protective environment for growing or holding plant/tree stocks. It is considered that to refuse the application on the basis of the blue plastic sheeting would prove very difficult to substantiate and defend at appeal. As the polytunnels are only 3.5m high and by virtue of their design, they are considered to be low key buildings typical to nursery enterprises and not therefore uncommon features in rural contexts. Accordingly, it is considered that the polytunnels will not result in detrimental harm to the open and rural character of the Green Belt hence the development meets the objectives of Policy DC1 and EP7 of the Local Plan.

Turning to the matter of residential amenity, the polytunnels are sited approx. 130m and the water tank is sited approx. 70m from the nearest residential properties to the west on Rawlinson Lane. The nearest property to the south from the polytunnels is approx. 90m away (Liptrots Farm). The nearest property to the north is approx. 95m away. The water tank is sited adjacent to the southernmost of the recently approved glass houses. The development is considered to be a suitable distance from nearby residential properties so as not to result in detrimental harm to the amenities of the properties on Rawlinson Lane and elsewhere.

Conclusion

On the basis of the above, it is clear that the development is reasonably necessary for the purposes of agriculture based on the comments from LCC (Property Group). The polytunnels will not harm the residential amenities of the occupiers of the adjacent properties and will not result in detrimental harm to the open and rural character of the Green Belt. It is therefore considered that the development is in line with the requisite planning policies hence it is recommended that planning permission be granted in retrospect.

Recommendation: Permit retrospective planning permission
