

ITEM 5

Application Reference	DC/065801
Location:	Woodford Park Garden Centre Chester Road Woodford Stockport SK7 1QS
PROPOSAL:	Proposed single storey side extension to kitchen and single storey electricity sub station
Type Of Application:	Full Application
Registration Date:	12.05.2017
Expiry Date:	20170707
Case Officer:	Jane Chase
Applicant:	Notcutts Limited
Agent:	Lichfields

DELEGATION/COMMITTEE STATUS

Should the Area Committee be minded to grant permission under the Delegation Agreement the application should be referred to the Planning & Highways Regulations Committee as the grant of permission would be contrary to the Local Development Framework.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of a single storey side extension to the kitchen and a single storey electricity sub station to the front of the car park, adjacent to the boundary with Chester Road.

The kitchen is located to the front of the existing sales building behind the car park at the front of the site. The proposed extension would provide additional floorspace to the existing cold store and would measure 2m wide, 3m deep and 2.6m high with a flat roof. The extension would be finished in stained soft wood cladding.

The proposed sub station would be located to the front of the car park adjacent to the boundary with Chester Road and would measure 3.1m wide, 3.8m deep and 2.15m to 2.4m high. The sub station would be finished in concrete.

Members are advised that since the submission of the application, the applicant has advised that as the substation will be built by Electricity North West Limited and will be below 29 cubic metres (currently measures 27.5 sq. m) this element of the application will constitute permitted development not requiring planning permission.

SITE AND SURROUNDINGS

The application site comprises a previously developed site in the Green Belt and is occupied by a garden centre. To the front of the site is a large L shaped sales building, in front of and to the side of which is a large car park. To the other side (west) of the sales building is a landscaped garden and to the rear is a large external sales area for outdoor plants, pots and paraphernalia. The outdoor sales area is sheltered from the elements by an open sided glazed canopy which was recently granted planning permission. The site is relatively open to Chester Road, however, the remaining boundaries to either side and to the rear are formed from mature landscaping (hedging and trees).

On Chester Road the site is adjoined by a small supermarket to the south west, fields and the rear of properties on Woodford Road to the north east. To the rear is open Green Belt.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan includes:-

- Policies set out in the Stockport Unitary Development Plan Review (SUDP) adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (CS) adopted 17th March 2011.

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') issued on 27th March 2012 (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6th March 2014.

Saved policies of the SUDP Review

LCR1.1 Landscape Character Areas
GBA1.2 Control of Development in Green Belt

LDF Core Strategy/Development Management policies

CS8 Safeguarding & Improving the Environment
SIE-1 Quality Places

National Planning Policy Framework Conformity

The Planning Advisory Services' National Planning Policy Framework Compatibility Self-Assessment Checklist has been undertaken on Stockport's adopted Core Strategy. This document assesses the conformity of Stockport's adopted Core Strategy with the more recently published NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified.

National Planning Policy Framework

Paragraph 6 states: *"The purpose of the planning system is to contribute to the achievement of sustainable development"*.

Paragraph 7 states: *"There are three dimensions to sustainable development: economic, social and environmental"*.

Paragraph 11 states: *"Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise"*.

Paragraph 13 states: *"The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications"*

Paragraph 14 states: *"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*.

For decision-taking this means (unless material considerations indicate otherwise):

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - i) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - ii) *specific policies in this Framework indicate development should be restricted"*.

Paragraph 17 states: *"Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:*

- *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should*

provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;*
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);*
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*

- *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and*
- *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”.*

Paragraph 89 states “*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:-.....limited infilling ...of previously developed sites (brownfield land), which would not have a greater impact on the openness of the Green Belt, and the purpose of including land within it than the existing development.*’

Paragraph 187 states “*Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”.*

Paragraph 196 states “*The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions”.*

Paragraph 197 states “*In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development”.*

Paragraph 215 states “*.....due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.*

RELEVANT PLANNING HISTORY

Extensive planning history, most recently:-

DC062305 – extension of the existing restaurant and café, associated works including new verandah, hard landscaping and improved disabled access – approved September 2016

DC058575 – erection of canopy with retractable tensile fabric roof over existing retail sales area – approved August 2015

NEIGHBOUR'S VIEWS

The proposal has been advertised on site and in the local press as a Departure from the Development Plan. No representations have been received to date.

ANALYSIS

The site lies within the Green Belt and a Landscape Character Area as identified on the Proposals Map of the SUDP Review.

Green Belt

Policy GBA1.2 of the UDP states that there is a presumption against the construction of new buildings within the Green Belt unless it is for one of 4 purposes (agriculture and forestry; outdoor sport and recreation; limited extension or alteration of existing dwellings; limited of infilling or redevelopment of major existing developed sites (MEDS)).

Para 89 of the NPPF states that the construction of new buildings within the Green Belt is inappropriate. Exceptions to this include, amongst other forms of development, limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The proposed kitchen extension is clearly contrary to policy GBA1.2 of the UDP as the construction of an extension to a commercial building does not fall within any of the excepted forms of development. As such, the development is a departure to the Development Plan. It is the view of the Planning Officer, however, that the proposed development can be considered to constitute the limited infilling or the partial redevelopment of a previously developed site as allowed for by the NPPF. As such, and subject to the development not having a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, it is considered that the development is 'appropriate' having regard to para 89 of the NPPF.

The proposed extension is to be located to the front of the existing sales building behind an existing close boarded fence. The extension will be of a very small footprint, (6m²) and will be of a lower height than that of the existing building with a flat roof. Views of the extension from Chester Road to the front of the site, will on the whole be obscured by the existing fence. That part of the extension projecting above the height of the fence, being constructed in stained softwood, will have a similar appearance to the fence. As such, it is not considered that the extension will be visually prominent from the Green Belt outside the site. Views of the extension from within the site will be of a small, subservient structure, seen against the back drop of the larger brick built sales building. On this basis, it is not considered that the extension will have a greater impact on the openness of the Green Belt than the existing building.

Para 80 of the NPPF lists the purposes of including land within the Green Belt as to:-

- check the unrestricted sprawl of large built up areas
- to prevent neighbouring towns from merging into one another
- to assist in safeguarding the countryside from encroaching
- the preserve the setting and special character of historic towns and
- to assist in urban regeneration by the recycling of derelict and other urban land.

In response to this position:-

- the proposed development will not result in the sprawl of a large built up area. It is located on a contained site within a semi-rural area and will not extend beyond the existing boundaries of the developed site.
- being contained within the existing boundaries of the developed site, the development will not result in the merging of neighbouring towns.
- being contained within the existing boundaries of the developed site, the development will not encroach into the countryside.
- the site is not located adjacent to or within a historic town and
- the development is required on this site; it cannot be located elsewhere outside the Green Belt or within an urban area. As such, it will not prejudice urban regeneration.

On the basis of the above it is considered that the proposed kitchen extension will not have a greater impact upon the purpose of including land within the Green Belt than the existing development.

For the reasons stated above, it is considered that the development is appropriate within the Green Belt having regard to para 89 of the NPPF and as such, is acceptable in principle.

With regard to the proposed substation, Members are advised that the erection of this structure is indeed permitted development under Schedule 2, Part 15, Class B of the Town and Country Planning (General Permitted Development) Order 2015. As such, whilst this aspect of the application remains within the description of development the ability to erect this structure under permitted development represents a fallback position which is material to the consideration of the application.

The erection of the substation fails to comply with policy GBA1.2 in that it does not fall within any of the excepted forms of development. It is considered however that the erection of this building would be compliant with the NPPF which allows for the limited infilling of a previously developed site provided there is no greater impact on the openness of the Green Belt than that existing and the development does not conflict with the purposes of including land within it. This structure is small in size and will be constructed from light colour materials. Being positioned adjacent to the front boundary to Chester Road, the substation will be screened to an extent by the existing landscaping and viewed against the backdrop of a developed site comprising significantly larger buildings. On this basis, it is not considered that the substation will have a greater impact on the openness of the Green Belt and for the reasons stated above in relation to the kitchen extension, will not conflict with the reasons for including the land in the Green Belt.

Even if this element of the application were considered unacceptable and the application refused, the substation could in any event be built under permitted development. On this basis, a departure to GBA1.2 can be justified in this respect.

Other Matters

In terms of impact on the Landscape Character Area, the proposed development is sensitively sited, designed and constructed of materials appropriate to its location

and can be accommodated without detriment to the landscape quality of the area. The development has no impact on recreational land or public access nor are there any impacts on the natural environment. On this basis the development complies with policy LCR1.1 of the UDP.

The proposed development is of an acceptable design, in keeping with the function of this site and the existing development within it. Being positioned some distance from neighbouring occupiers, the proposed development will not have an adverse impact on the amenities of neighbouring occupiers.

RECOMMENDATION Grant subject to conditions