

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No: DM/15/03039/OUT
FULL APPLICATION DESCRIPTION: Extension of existing garden centre
NAME OF APPLICANT: Woodthorpe Garden Centre Ltd
ADDRESS: Plants R Ross, South Hetton Road, Easington Village
ELECTORAL DIVISION: Easington
CASE OFFICER: Barry Gavillet, Senior Planning Officer,
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DESCRIPTION OF THE SITE AND PROPOSALS

Site:

1. This application site lies outside of the settlement boundary of Easington Village as defined in the District of Easington Local Plan and is therefore classed as being in the countryside. The site is approximately 1.32 hectares and is an existing and well established garden centre located approximately 1 mile to the west of Easington Village across the A19 and 0.6 miles to the east of South Hetton. The garden centre is accessed off the A182 and is surrounded by open countryside on all sides.

Proposal:

2. This application proposes to expand the existing garden centre facilities after being acquired by a new operator. The new facilities would include a new resurfaced car park, a new polytunnel, glasshouse, conservatory, kitchen, restaurant and a new main shop. The restaurant would be created through conversion of the existing dwelling on the site. The application seeks outline planning permission with details of appearance and landscaping reserved for later consideration. Access to the site would remain as it currently exists.
3. It is important to note that the existing number of full time equivalent staff on the site is 7. The applicant has suggested that the upgrading and expansion of the business as proposed in this application would result in approximately 50 full time equivalent staff.
4. This application is being reported to committee as it is classed as a major application.

PLANNING HISTORY

5. Between 1998 and 2000 several polytunnels were approved on the site followed by a dwelling, a garden centre in 2005 and tea rooms and farm shop in 2006.

PLANNING POLICY

NATIONAL POLICY

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
7. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’ .
8. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.

The following elements of the NPPF are considered relevant to this proposal;

9. Part 1 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
10. Part 3 - Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
11. Part 4 - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
12. Part 7 - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
13. Part 11 - The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that

are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

LOCAL PLAN POLICY:

14. Policy 1 - Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
15. Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.
16. Policy 18 - Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
17. Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
18. Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
19. Policy 106 – States that the preferred location of garden centres is within or adjoining settlement boundaries unless it can be demonstrated that suitable sites are not available.

RELEVANT EMERGING POLICY:

The County Durham Plan

20. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was Quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight at the present time.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

21. Northumbrian Water have made no adverse comments.

INTERNAL CONSULTEE RESPONSES:

22. Highways Officers have no objections to the proposals and comment that the access to the site has good visibility splays, the proposed parking provision is adequate and that the additional pedestrian footpaths are welcomed. Conditions should be imposed requiring the demarcation of the car park, electric vehicle charging points and cycle storage bays.

23. Ecology Officers initially requested a Great Crested Newt Risk Assessment given the proximity of the site to nearby ponds. An assessment has been submitted and found the proposed works to be of low risk.

24. Landscape Officers have no objections subject to a scheme requiring additional landscaping being conditioned.

PUBLIC RESPONSES:

25. None received.

APPLICANTS STATEMENT:

26. British Garden Centres is a family owned and run independent company, being Charles & Robert Stubbs who are brothers and myself, Phillippa Stubbs, Charles' wife. We began trading in 1990 and since then have built up a portfolio of 9 garden centres based around the country. We now employ circa 500 staff whom are local to the Centres and we run all of our own Cafes/Restaurants. We have very strong family and community values, which we believe are a key factor in our garden centres success....

27. We purchase centres that are in a neglected, declining state and turn them around (in a very short space of time) into thriving garden centres in the heart of communities, we always keep on any existing staff and then very quickly add to this creating jobs within both our restaurants and in the garden centre for people in the local area, together with using local contractors and businesses to supply materials and labour during the redevelopments.

28. We always aim to provide a friendly community based environment for people to come and enjoy with high quality food in the cafes and a good selection of product at fair prices in the garden centres. We enjoy the festive time of year and usually run santas grottos and christmas displays, then in the spring and summer months we like to hold planting events and children's gardening days which help engage the local people in what we do.

29. We work closely within the industry with the HTA and GCA and have been awarded National Garden Centre of the Year with our Brigg and Woodthorpe Centres. We also like to do work with local charities raising funds through our centres events.

30. In all the communities we have acquired a garden centre in, we have developed into a positive attribute for both the immediate community and the wider community

too... we ultimately pride ourselves in bringing new vitality and jobs to an area and see failing garden centres turned round and made a renewed success....

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/FPA>

PLANNING CONSIDERATIONS AND ASSESSMENT

31. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that as this is an outline application with some matters reserved, the main planning issues in this instance relate to the principle of development, layout and landscape impact, ecology and highways.

Principle of the development

32. This application proposes to extend the existing garden centre facility and associated car parking facilities. The current garden centre which was established in 2005 consists of a shop, polytunnels, a glasshouse, external display areas and informal car parking areas. The current proposals would upgrade the existing facilities and include a new shop, new glasshouses and polytunnels, a new restaurant and conservatory, upgrading of the car parking areas, the enlargement of the existing pond and additional landscaping.
33. As the planning history reveals, planning permission has been granted for various developments on a number of occasions for polytunnels, a farm shop and the existing garden centre. The garden centre is located between the settlements of Easington Village and South Hetton and close to the A19. It is considered that the proposals are in accordance with saved policy 106 of the District of Easington Local Plan which is specific to garden centre developments. It states that the location of garden centres should be within or adjoining settlement boundaries, or elsewhere if it can be demonstrated that suitable sites are not available. It also requires that the site can be served by a safe access, would not adversely affect amenity and would not undermine the vitality or viability of retail centres or shops. The site is a long established garden centre and the proposals are considered to satisfy these criteria. In addition to this it is considered that the proposals are in general accordance with parts 1 and 3 of the National Planning Policy Framework which aim to support the economy and support the growth and expansion of business and enterprise in rural areas. Overall, it is considered that the upgrading and expansion of the garden centre by a nationally recognised company would secure jobs and the future of the business, and given the previous approval of the garden centre it is considered that the proposals are acceptable in principle.

Layout and landscape impact

34. Saved policy 35 of the District of Easington Local Plan states that the design and layout of development should reflect the scale and character of adjacent buildings and have no serious adverse effect on the amenity of neighbouring residents or occupiers. This application seeks outline planning approval with details of appearance and landscaping being reserved matters. It is therefore difficult at this stage to assess the appearance of the proposed buildings. Notwithstanding this, the applicant has submitted details of the layout for approval and the design and access statement confirms that the scale of the buildings will reflect what is currently on site. The layout shows additional polytunnels, glasshouses and a shop which would be

located within the group of existing buildings resulting in a very limited landscape impact, moreover the proposed restaurant would be located in the existing bungalow, again resulting in no additional landscape impact. On this basis it is considered that the proposals would not result in any significant adverse impact on the local landscape and therefore are in accordance with saved policy 35 of the District of Easington Local Plan.

35. In addition to the above the landscape officer has stated that the County Durham Landscape Spatial Strategy identifies the site as a location for enhancement. As a result, the site falls within a Landscape Improvement Priority Area. It is therefore considered that given that landscaping is a reserved matter, this application represents a good opportunity to appropriately enhance the perimeter landscape of the nursery and integrate with the countryside, and be a showcase for the nursery to demonstrate appropriate native planting in the countryside for new developments.

Ecology

36. Whilst it is noted that the site itself is generally of low value, development of the site does have the potential to have an impact on nearby protected species.
37. Policy 18 of the Easington Plan seeks to protect species and habitats and ensure appropriate mitigation. Given that there are ponds onsite and records of Great Crested Newts nearby this proposal has been the subject of a Great Crested Newt Risk Assessment which has been considered by Ecology officers. The conclusion is that the risk to Great Crested Newts is very limited. However, the recommended working methods contained in the submitted Risk Assessment should be conditioned.
38. Subject to the working methods condition, the project is considered to be acceptable in terms of its relationship with habitats, species and protected sites and therefore compliant with Policies 18 of the Easington Local Plan and part 11 of the National Planning Policy Framework.

Highways

39. Highways Officers have been consulted as part of the application process and have commented that the existing site is served by a very good vehicular access with the A182, South Hetton Road, including a protected right turn lane and good junction sight visibility in both directions. In addition, the additional 'Tarmac Path' pedestrian access link to the site is welcomed from a highways point of view as it offers some segregation from the main vehicular access into the site.
40. The 235 on site car parking spaces proposed are in compliance with Durham County Council's Parking and Accessibility Standards although conditions should be imposed requiring 3 electric vehicle charging points, the demarcation of the car park and the submission of a scheme showing the provision of 10 covered cycle spaces.
41. Subject to the planning conditions outlined above there would be no Highway Development Management reasons to object and therefore the proposals are considered to be in accordance with saved policies 36 and 37 of the District of Easington Local Plan and part 4 of the National Planning Policy Framework.

CONCLUSION

42. This proposals represents an opportunity to secure the future of the existing garden centre business though improvement and expansion and importantly would result in approximately 43 additional full time equivalent employees. The garden centre use in this location is well established and therefore acceptable in principle. There are no concerns raised by consultees in terms of highways, ecology or landscape subject to conditions.
43. On the basis of the above it is considered that this proposal, which would result in significant investment into an established rural enterprise, is in accordance with the relevant local plan policies and the aims of the National Planning Policy Framework and is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions/reasons:

1. Approval of the details of the appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved shall be carried out in full accordance with all recommendations within the Preliminary Ecological Appraisal and Great Crested Newt Risk Assessment prepared by KJ Ecology Ltd.

Reason: To conserve protected species and their habitat in accordance with the objectives of saved Policy 18 of the Easington District Local Plan and part 11 of the NPPF.

4. Prior to any of the extended garden centre being opened to the general public the installation of the 3 no. on-site electric vehicle charging point car parking spaces must be completed in accordance with details to be submitted to and approved in writing by the Local planning Authority.

Reason: To promote the use of alternative green modes of travel to and from the site in accordance with part 4 of the National Planning Policy Framework.

5. Prior to any of the extended garden centre being opened to the general public the car park must be demarcated in line with the on-site car parking scheme shown on the Proposed Site Layout Plan, drg. no. 201501-04D.

Reason: To maximise the available on-site car parking in accordance with saved policy 35 of the District of Easington Local Plan and part 4 of the National Planning Policy Framework.

6. Prior to any of the extended garden centre being opened to the general public the 10 no. enclosed, covered cycle parking spaces must be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote the use of alternative green modes of travel to and from the site in accordance with part 4 of the National Planning Policy Framework.

7. Notwithstanding the submitted details, the scale of the development shall be in accordance with the details as set out in the submitted Design and Access Statement dated September 2015.

Reason: In order to protect the visual amenity of the area in accordance with saved policy 35 of the District of Easington Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

BACKGROUND PAPERS

Submitted application form, plans supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework (2012)

National Planning Practice Guidance Notes

Statutory, internal and public consultation responses

District of Easington Local Plan



Planning Services

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Proposed extension and redevelopment of existing garden centre

Comments

Date January 2016