

**20/00571/FUL
MAJOR**

**Woodthorpe Hall Garden Centre
Limited**

**TRYSULL & SEISDON
Cllr Victoria Wilson**

**Wyevale Garden Centres Limited Wyevale Bridgnorth Road Shipley WOLVERHAMPTON
WV6 7EJ**

Erection of 2 no. curved canopies and infill section over existing external sales area at the rear of Bridgnorth Garden Centre.

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application site lies on the northern side of the Bridgnorth Road, approximately 1km east of Shipley. The site is located within the Green Belt and comprises a garden centre complex which extends to approximately 7.7 hectares. The site benefits from two vehicular access points onto the highway, and has a detached dwelling located to its west. The site crosses two administrative boundaries, with the main bulk of the application site in question here lying within Shropshire Council. There are a number of well-established buildings on site, and other various ancillary buildings. There is extensive parking and a separate access and exit. The site has evolved overtime and now sells a number of non-gardening related ranges such as The Edinburgh Woollen Mill as well as providing a café. There is a sporadic high hedge to the north.

1.2 Relevant Planning History

1983, New access and driveway, Approved (83/00149)
1983, New glasshouse, Approved (83/00651)
1984, Greenhouses, Approved (84/00714)
1987, Extension to glasshouse, Approved (87/00756)
1987, New vehicular access, Approved (87/00818)
1988, Toilet block, Approved (88/01463)
1989, 1 new glasshouse 5 glass roofs extension to garden centre, Approved (89/01106)
2015, Provision of an owl and falconry Centre (including other additional animals), approved (15/00537)
2019, To display a package of four new totem and banner signs at the Wyevale Garden Centre. The proposed signs include 2 x totem signs, 2 x banner signs, approved (19/00179)

1.3 Pre-application Discussions

1.3.1 None.

2. APPLICATION DETAILS

2.1.1 This application proposes the erection of 2 canopies over an existing sales area at the rear of the site covering an area of around 2,749 sq. metres with varying heights of 2.7m to 3.2m due to the topography of the site. The structure will be linked to the north elevation of the main building on site and a smaller warehouse building to the east with the existing car park to the west.

2.2 Agent Submission

Supporting letter

3. POLICY CONTEXT

The application site is within the West Midlands Green Belt

Core Strategy Development Plan Document, December 2012

GB1: Development in the Green Belt

EQ1: Protecting, Enhancing and Expanding Natural Assets

EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

EQ5: Sustainable Resources and Energy Efficiency

EQ7: Water Quality

EQ8: Waste

EQ9: Protecting Residential Amenity

EQ11: Wider Design Considerations

EQ12: Landscaping

EV9: Provision and Retention of Local Community Facilities and Services

CP10: Sustainable Community Facilities and Services

National Planning Policy Framework

4. CONSULTATION RESPONSES

No **Councillor** comments (expired 20/08/2020)

Trysull and Seisdon Parish Council (received 13/08/2020) No objections

No comments from **Shropshire Council** (expired 20/08/2020)

Site notice and advert (expired 17/11/2020)

5. APPRAISAL

5.1 The application is to be heard at Planning Committee as it is contrary to policy GB1.

5.2 Key Issues

- Principle of development and Impact on the Green Belt
- Very Special Circumstances
- Design and Impact on landscape
- Impact on highways

5.3 Principle of development and Impact on the Green Belt

5.3.1 The site is within the Green Belt, where under local policy GB1, the construction of new buildings other than for agricultural or forestry purposes is generally considered to represent inappropriate development. It is evident that GB1 is silent on the issue of sites within the Green Belt that are previously developed (brownfield land); i.e. land which is or was occupied by a permanent structure, including the curtilage of the developed land (although

it should not be assumed that the whole curtilage should be developed). However, the supporting text to policy GB1 states that development within the Green Belt will normally be permitted where it is acceptable "within the terms of national planning policy". It therefore follows that for any development to be acceptable it must comply with the provisions of the NPPF. In addition to this where the local plan is silent, then the NPPF becomes a material consideration.

5.3.2 In this light, part g) of paragraph 145 of the NPPF specifies that *'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would -not have a greater impact on the openness of the Green Belt than the existing development ... '* would be an exception.

5.3.3 Does section g) of paragraph 145 therefore apply to the garden centre?
In that the application site consists of large buildings and a large expanse of hard standing, I consider that it does comprise a site that has been previously developed. (The site, due to the nature of the business is not considered to be horticulture). As the proposal involves erection of significant sized canopies, I consider that section g) is engaged.

5.3.4 That is not the end of the matter, however. Before the exception principle is met, it has to be demonstrated that

"the redevelopment would not have a greater impact on the openness of the Green Belt than the existing development".

5.3.5 The canopies cover an existing sales area of around 2,749 sq. metres with varying heights of 2.7m to 3.2m due to the topography of the site. These are not small canopies and will exist where there currently is just a functional, more industrial looking structure, although it is significantly higher than that which is proposed. It is, however, located within the confines of the garden centre site. Due to sheer size of the development I would consider that there would be some harm (although recognised as limited due to the existing build form of the site) to the Green Belt. The development is therefore considered to be inappropriate. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and inappropriate development should not be approved except in very special circumstances.

5.4 Case for very special circumstances

5.4.1 As stated in paragraph 144 of the NPPF,

'very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

5.4.2 The circumstances presented by the applicants are that the proposal would protect the existing plant stock from frost and direct sunlight, as well as providing a more pleasant shopping experience for the customer, thus ensuring the long term survival of the existing business and any subsequent jobs and revenue this provides. In addition, the majority of the application lies within Shropshire who are recommending that the proposal is approved.

5.4.5 Core Policy 7 of the Core Strategy states that the Council will work in partnership with businesses and local communities and will support measures to sustain and develop the

local economy and encourage inward investment and further economic development of the District. Measures to sustain the development of economic sectors such as tourism will be encouraged and supported. Overall, on balance, I consider that the recommendation of approval from Shropshire Council, along with the support and inward investment of a tourism business which will ensure the long term survival of the business, clearly outweighs the potential harm to the Green Belt in this instance.

5.5 Design and Impact on landscape

5.5.1 Core Policy 2 and Development policies EQ4 and EQ12 of the Core Strategy all seek to protect, conserve and enhance the District's natural assets. CP2 goes on to state that

particular support will be given to initiatives to improve the natural environment where it is poor and increase the overall biodiversity of the District.

5.5.2 This is echoed in part 15 of the NPPF. Throughout the District, the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings and should not have a detrimental effect on the immediate environment and on any medium and long-distance views. This development is well screened from the Bridgnorth Road by the existing building and surrounded by existing mature landscaping to the north leaving some limited views towards the open countryside beyond, notwithstanding this the development would be read in the context of the existing site and will replace a higher more utilitarian looking building and will have no detrimental impact on the surrounding landscape in accordance with EQ4 and EQ1.

5.5.3 EQ11 states:

the design of all developments must be of the highest quality and the submission of design statements supporting and explaining the design components of proposals will be required. Proposals should be consistent with the design guidance set out in the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions) and be informed by any other local design statements.

Development proposals must seek to achieve creative and sustainable designs that take into account local character and distinctiveness, and reflect the principles set out below. The Council will encourage innovative design solutions.

5.5.4 The proposal is relatively low in height and is akin to similar development found at garden centre locations such as this. It is a functional structure and serves a purpose.

5.5.5 Overall I consider the proposal is in accordance with the aims of EQ11.

5.6 Impact on highways

5.6.1 The site is currently served by an existing well-established access and no changes are proposed.

5.7 Drainage

5.7.1 The site is already laid to tarmac which will need to have some drainage system in place. I consider it prudent to require the submission of a surface water drainage scheme.

6. CONCLUSION

6.1 The site is within the Green Belt, where there is a presumption against inappropriate development. Whilst I have found that the proposal would be inappropriate, there would in fact be limited harm to the openness of the Green Belt, given the replacement of a higher structure and the built-up nature of the site. The proposal would support and enhance the existing rural business and tourism destination and the majority of the site lies within Shropshire, who too are supporting the proposal. These factors amount to the very special circumstances needed to clearly outweigh any potential Green Belt harm caused by reason of inappropriateness. There are no landscape or highways concerns. As such I am recommending that Members approve the application.

7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: A-PL-010 P01, A-PL-011 P01 received 10/07/2020
3. Before any development takes place a scheme for the provision and implementation of surface water drainage works shall be submitted for the approval of the Local Planning Authority. The development shall not be occupied/brought into use until the approved scheme has been completed.
4. Sale of goods limiting condition, wording to be agreed with Shropshire Council, further details of which can be found on the Update List.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To prevent danger or damage from flooding by the adjacent watercourse in accordance with policy EQ7 of the adopted Core Strategy.
4. In order to define the permission and to avoid doubt.
5. Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



Wyevale Garden Centres Limited, Wyevale, Bridgnorth Road, Shipley, WOLVERHAMPTON
WV6 7EJ