

18/00926/FUL.

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Planning Committee

17 October 2018



Application No.	18/00926/FUL
Site Address	Longacre's Garden Centre, Nutty Lane, Shepperton, TW17 0QH
Applicant	Mr N Long
Proposal	Erection of replacement storage building.
Ward	Laleham and Shepperton Green
Called-in	Cllr Smith-Ainsley
Officer	Matthew Clapham

Application Dates	Valid: 26/06/2018	Expiry: 21/08/2018	Target:– Extension of time agree to 19 October 2018
Executive Summary	<p>The application site is a large area of land adjacent the M3 motorway and is currently occupied by a garden centre with a detached retail building and associated outbuildings, display areas and a large car park. Nutty Lane is a small cul de sac accessed via Charlton Lane. There is a Cattery/Kennels adjoining the site and another commercial use in the vicinity, with the Charlton Road Waste Disposal Centre on the other side of Charlton Road. The site is located within the Green Belt and the Zone 3a Flood Risk Area.</p> <p>The proposed development constitutes '<i>inappropriate development</i>' in the Green Belt and will cause an unacceptable loss of openness. It is noted that the proposal would result in the removal of the existing unauthorised containers and external storage and would provide an improved appearance. However, it is not considered the benefits of the scheme will clearly outweigh the substantial harm to the Green Belt. The applicant has not provided '<i>very special circumstances</i>' that would justify the inappropriate development in the Green Belt.</p>		
Recommended Decision	This application is recommended for refusal		

MAIN REPORT

1. Development Plan

The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- EN1 (Design of New Development)
- LO1 (Flooding)

It is also considered that the following Saved Local Plan Policies are relevant to this proposal:

- GB1 (Green Belt)

2. Relevant Planning History

15/012276/FUL

Erection of a new storage building.

Refused

27.1.2016

SPE/FUL/88/261

Development of site as a garden centre, including the erection of a sales building/greenhouse of 1290 sq. m (13,886 sq. ft.) gross floorspace, open display areas and car parking (as shown on Drawing Nos. 1554, 1554/5C, 1554/6C and plans accompanying letter dated 14th May 1988).

Grant Conditional

01.06.1988

3. Description of Current Proposal

- 3.1 The application site comprises 0.11Ha of land currently used for unauthorised storage in connection with the adjacent garden centre. The existing garden centre, includes a detached retail building and associated outbuildings, display areas and a large car park. Nutty Lane is a small cul de sac accessed via Charlton Lane. There is a Cattery/Kennels adjoining the site and another commercial use in the vicinity, with the Charlton Road Waste Disposal Centre on the other side of Charlton Road. The site is located within the Green Belt, and the Zone 3a Flood Risk Area.
- 3.2 This proposal seeks to erect a detached storage building for use by the garden centre measuring 20m by 10m and with an eaves height of 4m and a ridge height of 5.2m. The structure would replace five existing, unauthorised storage containers that are currently on the site. Access for deliveries would be provided by an existing access to the south, fronting onto Nutty Lane. Access to the garden centre itself is provided via a side gate into the outdoor display/storage area.

3.3 A copy of the proposed floor plans and elevations are attached as an Appendix.

4. Consultations

The following table shows the consultee and the response.

Consultee	Comment
Environmental Health (contamination)	No objections subject to conditions.
Surrey County Council Archaeology	No objection.

5. Public Consultation

1 letter of notification has been sent out to neighbouring properties.

One letter of support has been received.

6. Planning Issues

6.1 This application is located within the Green Belt and involves the erection of a new building and requires an assessment of the following impacts of the development:

- a) Impact upon the openness of the Green Belt
- b) Character and appearance of the area
- c) transport and highways impact of the development,
- d) flooding risks of the site,

7. Planning Considerations

7.1 The site is located within the Green Belt. Section 13 of the updated NPPF sets out the Government's policy with regard to protecting Green Belt Land. It states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The policy is similarly reflected in the Council's Saved Local Plan Policy GB1.

7.2 Paragraph 134 of the NPPF sets out the five purposes of the Green Belt. These are:

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

7.3 The NPPF states at para. 143 that *"inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"*. Para 144 goes on to state that *"when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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."* Para 145 of the NPPF provides a list of buildings which are considered to be appropriate development.

7.4 The site is currently used for the unauthorised storage of goods and items used by the adjoining garden centre, mainly externally stored although there are some storage units on the site. Under para. 145 of the NPPF, the following is listed as development which could be appropriate within the Green Belt:

"d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;"

The existing site contains mainly open storage and shipping style containers and it is considered this does not fall within the appropriate development definition in d) above. A commercial storage building is considered to be inappropriate development within the Green Belt. The applicant has recognised this and has suggested a number of positive benefits from the proposal which are argued to represent very special circumstances. These being economic, environmental and highway benefits. These are assessed below.

7.5 In terms of economic benefits, the applicant states that the storage shed will allow covered storage in a more efficient manner. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. As part of this aim, there is an economic objective (paragraph 8a) identified within the Framework.

7.6 The applicant has set out the need and the advantages of the proposed storage building in their planning statement and a business case. In particular, it highlights the problems with the existing storage arrangements which are not considered to be up to the required standards of a modern retail operator. Concerns have also been raised regarding possible deterioration of stock stored externally and also theft. Furthermore, it was noted that the previous operators on the site had struggled to maintain a going concern on the site.

7.7 While the Council is sympathetic with these comments, it is not considered that these factors, in themselves are sufficient to justify the impacts upon the openness of the Green Belt in allowing a structure of this size. No evidence has been submitted to fully confirm the degree of deterioration of stock or theft from the site, which would appear to be in a secure enclosed area. Similarly, the external storage of products on pallets appears to be external materials such as stones, paving, soil and compost etc. sealed in plastic that could be stored externally.

7.8 Therefore, in view of the potential impacts upon the openness of the Green Belt, it is not considered that these economic reasons are sufficient to justify

inappropriate development within the Green Belt and do not demonstrate Very Special Circumstances. .

- 7.9 With regard to environmental benefits, the applicant states that the storage unit will improve the appearance of the site which currently has a large amount of external storage areas. While there would be a degree of improvement in terms of tidying up the site, the storage unit itself is of a functional design and any improvement in the tidiness of the land is not considered sufficient to outweigh the adverse impacts on the openness of the Green Belt from a structure of this size.
- 7.10 Finally, the applicant states that the proposal would improve highway safety by virtue of the site allowing delivery lorries to enter and leave the site in forward gear. The County Highway Authority have assessed the application and have not raised any objections although they have not highlighted any benefits from the proposal either. The site is already largely open with the containers being to the rear / side of the site with open areas which would allow lorries to turn, although the land is covered by a significant amount of goods and items stored externally. In addition the access is at the end of relatively quiet cul de sac, where there is one dwelling / business next door and then the start of a public footpath. As such it is not considered that this part of Nutty Lane represents a highway safety concern and therefore any highway improvements are not considered to overcome the concerns regarding the impacts upon the Green Belt.
- 7.11 It is recognised that the structure has been reduced in size from that previously refused, with the footprint now being 200sqm compared with the previously proposed 408sqm and the existing 208sqm. However it should be noted that the existing structures on the site are temporary storage containers in two separate locations. Furthermore, the height of the proposed structure at 4m to eaves and 5.2m to the ridge represents a significant increase compared to the existing containers on the site, which, although having a small roof extension being 3.94m high, are in themselves 2.7m high from ground level. Therefore it is considered that the new proposed structure would have an adverse impact upon the openness of the Green Belt.
- 7.12 The site is located within the zone 3a flood risk area (1 in 100 year event). No previous objections have been received from the Environment Agency in previous applications and also in view of the structure being floodable, it is not considered that refusal on flooding grounds could be justified.
- 7.13 There are no archaeology concerns as the site has been removed from an Area of High Archaeological Potential since the last application.
- 7.14 There is a dwelling adjoining the site, used in conjunction with an existing business also on that site. The structure while being larger than existing structures on the site would be located further away on the other side of the site and to the dwelling and on balance, it is not considered that there would be any adverse impacts upon the residential amenity of the adjoining dwelling.

8. Conclusions

- 8.1 Based on a review of the information submitted as part of this application, it has been determined that the proposal represents inappropriate development within the Green Belt for which no Very Special Circumstances have been demonstrated to justify the proposal.
- 8.2 In addition, the proposal would, by reason of its height and volume, cause harm to the openness of the Green Belt

9. Recommendation

- 9.1 REFUSE for the following reason:

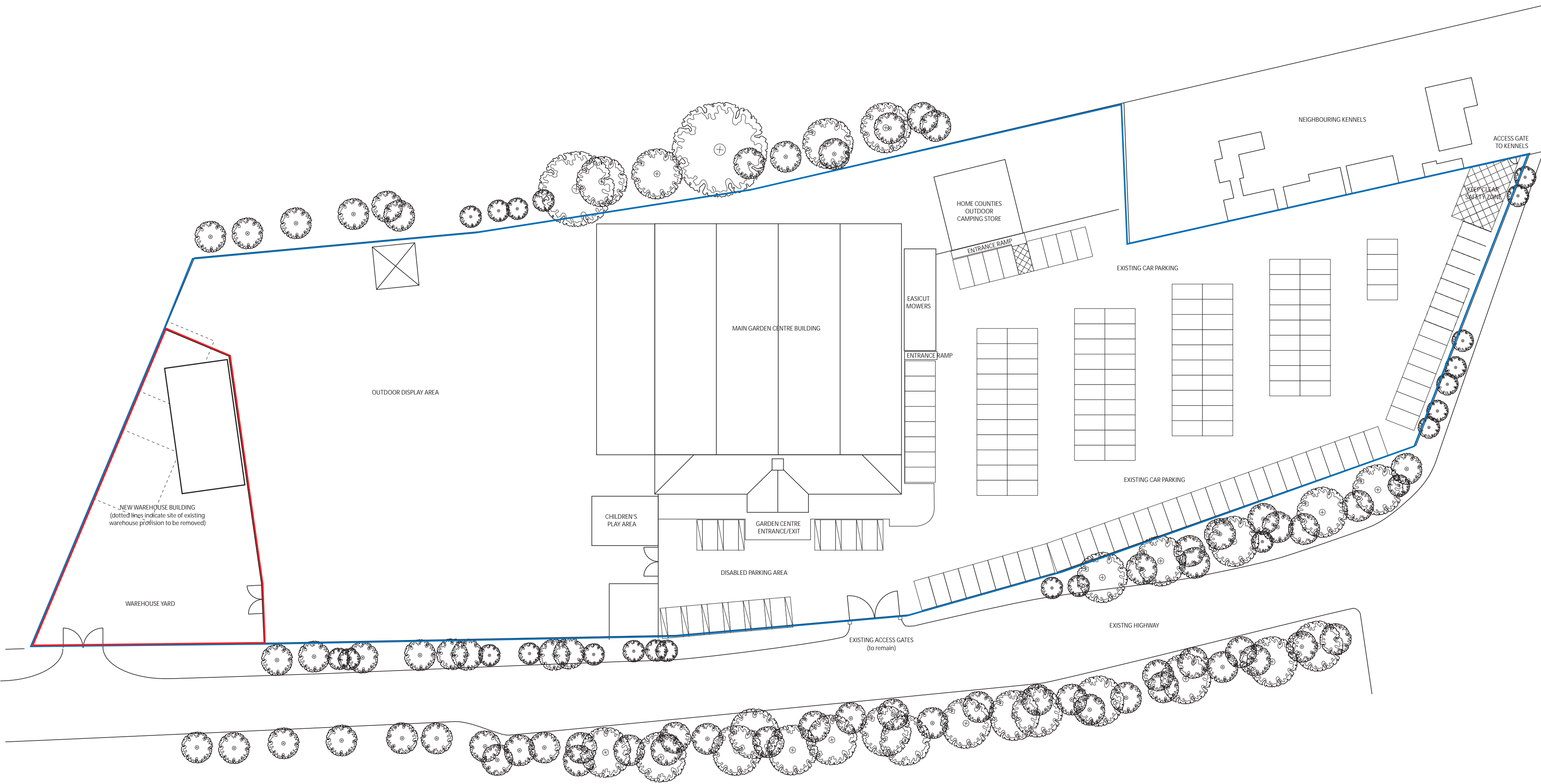
The proposed storage building is considered to represent inappropriate development within the Green Belt for which no Very Special Circumstances have been demonstrated to justify the proposed development and would, by reason of its height and volume, cause harm to the openness of the Green Belt. As such, it is contrary to guidance contained in the National Planning Policy Framework and 'Saved' Local Plan Policy GB1 (2001).

INFORMATIVES

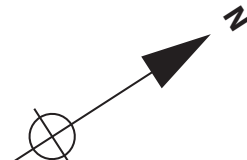
1. Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.



NOTES:
All dimensions must be checked on site and not scaled from this drawing



A	Date	Revisions

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Job Title
**Nutty Lane
Shepperton
TW17 0RQ**

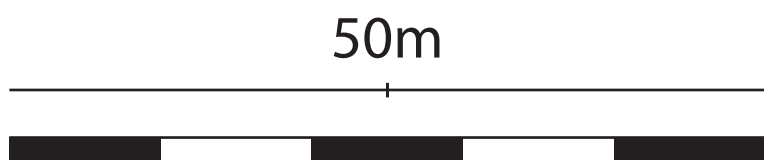
Drawing Title
**Proposed (20 x 10m)
Warehouse Provision**

Scale
1 : 500 @ A2

Date
June '18

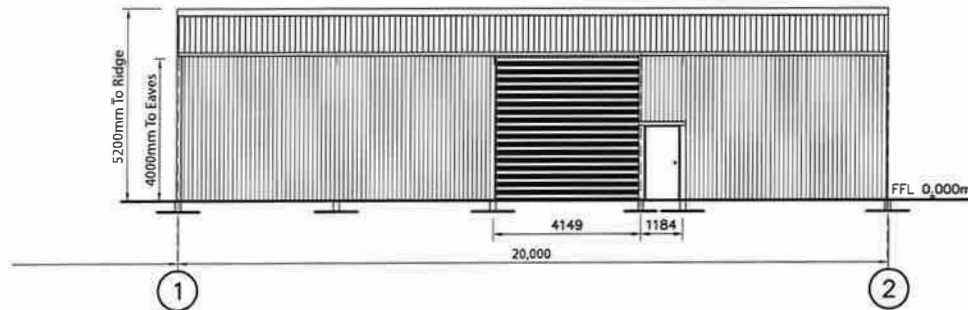
Drawn by
BRO

Drg. No. LL/501/15 - 2	Rev. 07
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NOTES
All dimensions must be checked on site and not scaled from this drawing

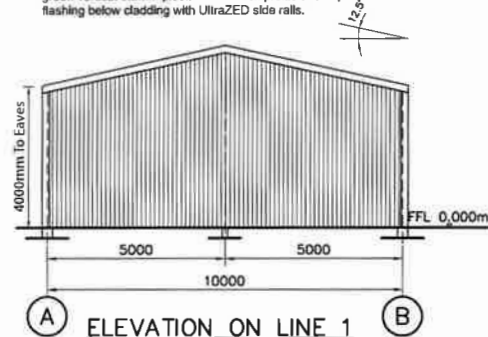
Roof cladding in natural grey P6R fibre cement with a closed ridge. Side cladding down 5000mm below eaves level in juniper green vertical 0.5mm plastic coated box profile and drip flashing below cladding with UltraZED side rails. 1No. opening 4000mm wide x 4000mm high.



ELEVATION ON LINE B

1:100

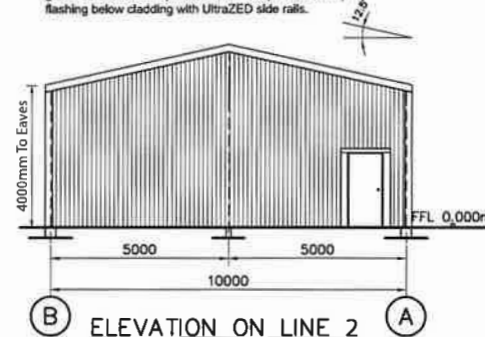
Gable cladding down 5000mm below eaves level in juniper green vertical 0.5mm plastic coated box profile and drip flashing below cladding with UltraZED side rails.



ELEVATION ON LINE 1

1:100

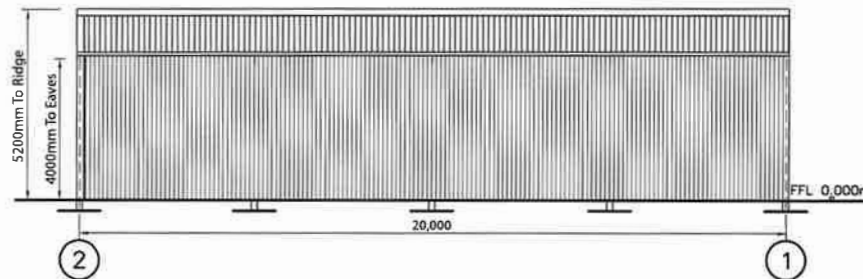
Gable cladding down 5000mm below eaves level in juniper green vertical 0.5mm plastic coated box profile and drip flashing below cladding with UltraZED side rails.



ELEVATION ON LINE 2

1:100

Roof cladding in natural grey P6R fibre cement with a closed ridge. Side cladding down 5000mm below eaves level in juniper green vertical 0.5mm plastic coated box profile and drip flashing below cladding with UltraZED side rails.



ELEVATION ON LINE A

1:100

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Nutt Lane
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Drawing Title
Proposed (20 x 10m)
Warehouse Provision
(Elevation Drawings)

Scale
1 : 100 @ A2

Date
Sep '18

Drawn By
PUR

Org No.
LL/501/15

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08