

Application No: 13/1949M

Location: WILMSLOW GARDEN CENTRE, MANCHESTER ROAD, WILMSLOW, SK9 2JN

Proposal: Variation of condition 2 of 11/4367M, regarding approved plans for the redevelopment of garden centre to include main retail building, restaurant, open-sided canopy, store and associated external works and landscaping; allow the retention of ground level irrigation tank and various alterations to the external appearance of the garden centre building.

Applicant: David Yardley, KLONDYKE PROPERTIES LTD

Expiry Date: 06-Aug-2013

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Impact on the character and appearance of the surrounding area
- Whether the proposal is acceptable in the Green Belt
- Impact on parking and highway safety.
- Impact on ecology, the existing trees and landscape.
- Impact upon the amenity of neighbouring properties.

REASON FOR REPORT

The proposed development relates to floorspace in excess of 1,000 sqm and therefore as a major planning application the application must be determined by the Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a relatively recently constructed single storey garden centre building, with ancillary restaurant, outdoor sales area, service yard, car park and woodland. The site is located within the Green Belt but it is bounded by a predominantly residential area to the south and east, as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks to vary condition 2 (approved plans) to make the following minor amendments to the previous permission (11/4367M):

- Relocation and enclosure of irrigation tank and increase in size.
- Replacement of timber cladding with green metal cladding to rear wall of restaurant.

- Replacement of timber fence with a brick wall and cladding to rear wall of open canopy.
- Replacement of timber cladding with grey sheet cladding to wall dividing open side canopy and main shop.
- Changes to door and window positions on north western elevation (facing service yard).
- Personnel door moved 1 bay to the right on south western (rear) elevation.
- Relocation of air conditioning units and timber screen around door on south eastern elevation.
- Relocation of extraction equipment from the wall between the restaurant and the canopy to the roof.

With the exception of the enclosure around the irrigation tank, the works have already been carried out on site.

RELEVANT HISTORY

11/4367M - Redevelopment of Garden Centre Following Fire to Include Main Garden Centre Retail Building, Restaurant, Open Sided Canopy, Store and Associated External Works and Landscaping – Approved with conditions 24.02.2012

POLICIES

Local Plan Policy

BE1 (Design Guidance)
 GC1 (New Buildings)
 NE7 (Woodlands)
 NE11 (Nature Conservation)
 S2 (Out of town retailing)
 DC1 (Design – New Build)
 DC2 (Design – Extensions and Alterations)
 DC3 (Amenity)
 DC6 (Circulation and Access)
 DC9 (Tree Protection)
 DC35 (Materials and Finishes)
 DC37 (Landscaping)

Other Material Considerations

National Planning Policy Framework (the Framework)

CONSULTATIONS (External to Planning)

Environmental Health – Comments not received at time of report preparation

VIEWS OF THE TOWN / PARISH COUNCIL

Wilmslow Town Council - Raise concerns that there appears to be a neighbouring property that has issues with the removal of this variation and that the planning officer be asked to give these concerns suitable consideration in trying to establish an amicable resolution.

OTHER REPRESENTATIONS

Four letters of representation have been received from neighbours at 143 Manchester Road, 22 Carlton Avenue, and 19 and 23 Sefton Drive objecting to the proposal on the following grounds:

- Irrigation tank impact of neighbour's visual amenity.
- Noise from pumps.
- Industrial appearance is out of keeping.
- Rear boundary fence is behind original fence creating an alleyway, which presents a significant security risk.
- Maintenance yard appears to have developed into a general waste site.

APPLICANT'S SUPPORTING INFORMATION

A covering letter outlining the proposed amendments and the reasons for them, a noise survey and an excerpt from Building Regulations Approved Document B have been submitted with the application.

The applicant's agent has also responded to the comments from neighbouring properties in an email which outlines:

- The height of existing irrigation tank is to be reduced by 760mm.
- A small monopitch cedar shingle roof will be added to the existing fencing to help to screen the tank.
- We will make our clients aware of the comments regarding the maintenance and appearance of the service yard.
- Acoustic surveys have been carried out which revealed that sound readings taken at the tank were the same when the pump was switched on as when it was switched off.
- The decision was taken during construction to build the fence away from the existing fence line in order to gain access to the landscaping on the boundary for maintenance. This is something which our clients have been in discussions directly with the residents about but further discussions are required to agree how this will be managed in the future.

Copies of the documents can be viewed in full on the application file.

OFFICER APPRAISAL

Principle of Development

The development has been judged to be acceptable in principle at an earlier date, as a result of its approval by the Council in 2011 (ref: 11/4367M). It is therefore necessary to focus attention on national and local policies, or other material considerations which may have changed significantly since the original grant of planning permission, as well as the changes sought.

Policy

The Regional Spatial Strategy has now been abolished, however, local plan policies remain the same as when the application was first considered in 2012. The Framework has also

been introduced at national level since the previous approval, however, this is not considered to raise any new policy issues, except where outlined below.

Green Belt

The proposal was previously identified as being inappropriate development in the Green Belt. The following set of very special circumstances was identified to outweigh the identified harm to the Green Belt:

- Similar scale of development approved as extensions in 2009
- No opportunity to implement 2009 extension due to fire
- Replaces facility that was lost
- Respects scale of previous building (same floor space and height)
- Improvements to woodland as a public facility

The Framework has been introduced since the previous approval, and paragraph 89 of this document allows for the redevelopment of brownfield sites subject to there not being any materially greater impact upon openness or the purposes of including land in the Green Belt than the existing use. No significant openness concerns were raised at the time of the previous approval.

The current application does include the irrigation tank that is now above ground rather than below and this will be enclosed in a timber structure, thereby increasing the overall impact upon openness. However, having regard to the overall scale of the proposal, the amendment is not considered to result in any significant loss of openness compared to the original approval. No significant Green Belt concerns are therefore raised.

Design

The proposed amendments incorporate changes to the external elevations of the garden centre building. However, the change in materials and the amendments to the position of windows and doors are relatively minor in terms of the scale of the original development. The general design of the building remains very similar to that previously approved, and the new structure to house the irrigation tank is in keeping with the form of the recently constructed buildings. The proposed amendments are therefore not considered to have a significantly greater impact upon the character and appearance of the area than the existing permission and are in accordance with policies BE1, DC1 and DC35 of the Local Plan.

Whilst some concern is raised by neighbours regarding the appearance of the maintenance yard, this element of the proposal has been previously accepted and no alterations to it are proposed that could justify additional restrictions.

Amenity

The application site is bounded by residential properties to the south west (rear) and on the opposite side of Manchester Road to the east of the site. The change in materials and the alterations to the fenestration raise no significant amenity concerns having regard to the relationship of these elements with neighbouring properties.

A noise survey has been submitted with the application relating to the irrigation tank and pump, the kitchen fan and the air conditioning units. The survey concluded that the noise in the areas around the kitchen fan and air conditioning units is dominated by background traffic noise making these units inaudible. In terms of the irrigation tank and pump, readings taken

in the area immediately adjacent to these were the same when the pump is on and when it is off, which leads to the conclusion that the readings were background noise and the pump is inaudible. Comments from Environmental Health are awaited, but no significant objections are anticipated.

Turning to the physical presence of the irrigation tank and enclosure to the rear of the properties on Sefton Drive, it is noted that this structure will have a maximum height of 3.3 metres, and will be positioned over 2 metres from the boundary shared with the adjacent residential properties. The nearest property is 19 Sefton Drive, which is angled away from the irrigation tank and the nearest corner of this property is shown on the plans to be 25 metres away from the structure. Whilst the unenclosed tank has a relatively industrial appearance, once it is reduced in height and the timber enclosure is erected, its visual impact will be in keeping with the remainder of the site, and given the distance to the nearest residential property and the extent of boundary screening, this structure is not considered to have a significantly harmful impact upon the living conditions of these neighbours.

Other considerations

Having regard to the nature and scale of the proposed amendments, no significant concerns relating to highways safety, ecology, trees, landscaping or retail impact are raised.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed amendments are not considered to have any significantly greater impact upon the openness, character or appearance of the Green Belt, highway safety, ecology, trees, landscape, town centre retailing or any other matter of public interest than the existing permission. The comments received in representation relating to the irrigation tank are acknowledged, however, for the reasons outlined above the impact upon the living conditions of neighbours is considered to be acceptable. A recommendation of approval is therefore made subject to the receipt of comments from Environmental Health and conditions.

Application for Variation of Condition

RECOMMENDATION: Approve subject to conditions

1. A04AP - Development in accord with approved plans
2. A04HP - Provision of cycle parking
3. A04LS - Landscaping and woodland management(implementation)
4. A05HP - Provision and retention of shower, changing, locker and drying facilities
5. A06EX - Materials as application
6. lighting to be in accordance with approved details
7. Product restriction
8. Boundary fencing to Sefton Drive
9. Operation of garden centre in accordance with approved renewable energy statement

10. Implementation of approved staff travel plan

11. Ancillary restaurant use and hours of operation

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