DELEGATED REPORT

Recommendation Made: 5 April 2011

Reference:- 11/00124/FUL **Parish:- Peckleton Parish Council**

Applicant:-

Ashby Road
Stapleton
Leicester
Leicestershire

Location:- Greenacres Ashby Road Stapleton Leicester Leicestershire

Proposal:- ERECTION OF A FRAME CANOPY.

Introduction:-

This is a full application for the erection of an open sided steel frame canopy at Greenacres Nursery. The establishment trades as a garden centre with other retail outlets including a tea room and farm shop. The canopy is to be situated to the rear of the tea shop and will be used to display items for sale such as plants and terracotta pots. The canopy will cover a floor area of 300 sq meters and will have a shallow pitched roof with a maximum height of 4.5m to the ridge. It is proposed that the roof will comprise of green pvc coated panels and clear polycarbonate sheet panels.

The Design and Access Statement is supportive of the development and justifies how it complies with Policy NE5 of the adopted Local Plan.

History:-

10/00175	Retrospective Planning Permission for the Erection of a farm shop	Approved	05.05.10
10/00185/ADV	Retrospective Advertisement Consent	Approved	30.04.10
03/00367/FUL	Erection of Building	Approved	01.07.03
03/00068/FUL	Erection of Tea Room, Public Toilets and Kitchen	Approved	20.03.03
02/00806/COU	COU from Garden to Car Park	Approved	12.09.02.

Consultations:-

Head of Community Services (drainage) has no objections

Peckleton Parish Council Object to the application on the following grounds:-
That the application represents an incremental form of development;
That not all existing buildings are shown on the plan;
that the development will be visible from the road; and
that the colour of the proposal has not been indicated

Development Plan Policies:-

Local Plan (2001)
BE1
NE5

Appraisal:-

The main considerations in this case are the principle of the development, siting and design, and the impact on the character of the countryside.

Principle of development

As this site is situated outside of any settlement boundary within the open countryside there is a presumption against new development. However this said, the site is an established garden centre and is considered important to the local economy, accordingly Policy NE5, development within the countryside is supportive in principle of such development, stating that: "The countryside will be protected for its own sake. Planning permission will be granted for built or other forms of development in the countryside providing that the development is:.... important to the local economy and can not be provided within or adjacent to an existing settlement.... " As such in principle the canopy proposed is acceptable subject to meeting the design criteria outlined within the remainder of Policy NE5 and Policy BE1 of the Local Plan.

Siting and Design

The canopy will be situated to the north west of the tea rooms and to the front of an existing large building on site. To the front of the canopy is part of the public parking area. Although the canopy will be visible from the road to the front of the site, due to its positioning to the rear of the tea room building, its considerable set back from the road and its simple open sided design and the green colour of its roof panels, it will blend in well with existing development and will not be visually prominent. Accordingly its impact on visual amenity and the street scene is considered minimal and its siting and design is considered acceptable.

Character of the Countryside

The site is bounded to the north and south by residential development, to the west by a disused quarry and to the east by the A447, and thus there is not a feeling that the site is within the open countryside within the immediate vicinity. The proposed building is considered in to be in scale with existing buildings on site, and will be viewed against them as a backdrop. The building will sit centrally on site, and will therefore not encroach any further into the countryside. Accordingly the proposal is not considered to have an adverse impact on the appearance or character of the landscape or countryside.

Highways

As the canopy will be used to shelter existing stock the intensity of activity on site will not increase and thus there will be no increase in vehicle trips to and from the site. Accordingly there is considered to be no change in the highway situation.

Other Issues

In terms of the issues raised by the Parish Council, in respect of the proposal being an incremental form of development, each development is considered on its individual merits and historical or speculative developments in this context can not be considered as a material planning consideration. In terms of the specific details included on the plans, the plans submitted were considered sufficient in order to validate the application. The colour finishes to be used on the development are indicated on the plan ‘Proposed Elevations’ as:- ‘Green PVC’

Conclusion
In sum, resultant of its siting, simple design and use, the proposal is considered acceptable within the countryside and will not have an adverse impact on the character or visual amenity of the area.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the

conditions attached to this permission, the proposed development would be in accordance with the development plan. Resultant of the siting, design and scale of the proposal there are considered no adverse impacts on either visual amenity or the character of the countryside and therefore the proposal is considered acceptable.
Hinckley and Bosworth Local Plan (2001)
BE1, NE5

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Drg Refs:- 'Proposed Elevations 1' 'Proposed Elevations 2' 'Site Location Plan' received by the Local Planning Authority on the 22.2.11

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 For the avoidance of doubt and in the interest of proper planning

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

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