

Item No 03:-

15/02269/FUL (CD.2288/P)

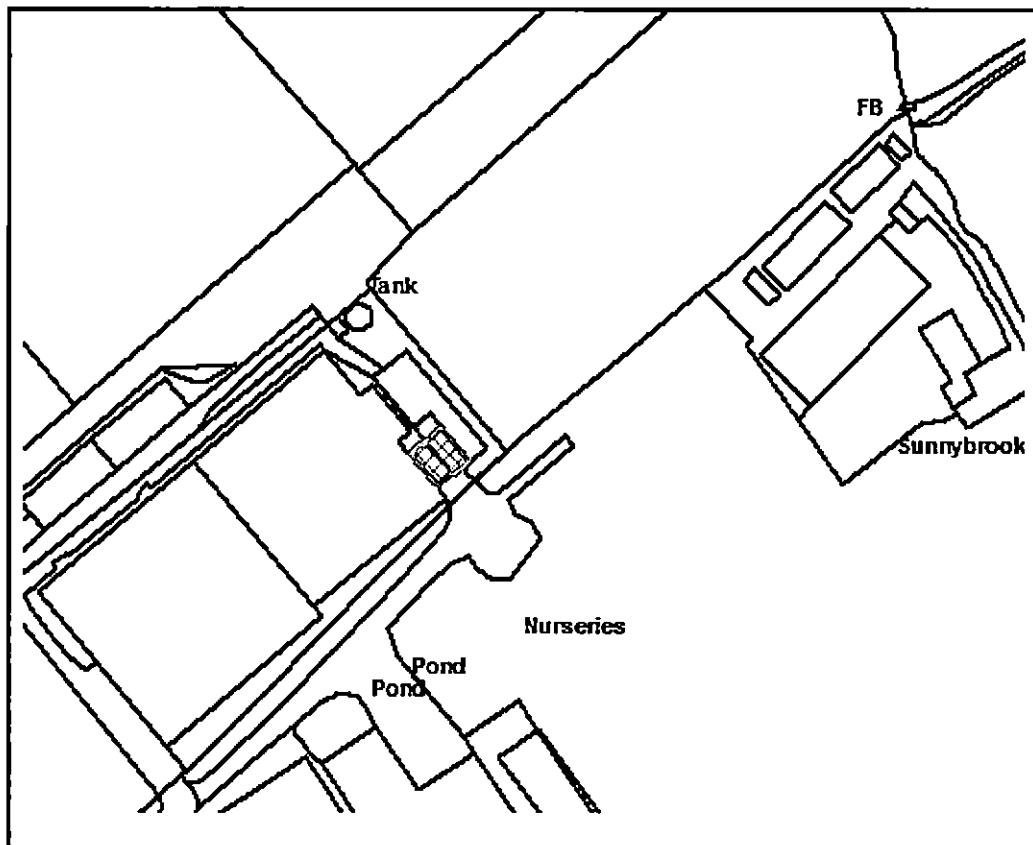
**Tops Nursery
Broadway Road
Mickleton
Chipping Campden
Gloucestershire
GL55 6PT**

Item No 03:-

**Proposed replacement of three chimney flues on greenhouse boiler installation
with two chimney flues at Tops Nursery
Broadway Road Mickleton Chipping Campden**

Full Application 15/02269/FUL (CD.2288/P)	
Applicant:	Trade Only Plant Sales Ltd
Agent:	None
Case Officer:	Christopher Fleming
Ward Member(s):	Councillor Lynden Stowe Councillor Mark Annett
Committee Date:	19th August 2015

Site Plan



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RECOMMENDATION: PERMIT

Main Issues:

- (a) Impact on Character and Appearance of the Locality
- (b) Impact on the environment and health of nearby residential properties.

Reasons for Referral:

The applicant is a District Councillor.

1. Site Description:

The site currently forms part of an established garden centre/plant nursery business. The garden centre/plant nursery is occupied by a number of glasshouses, horticultural buildings and associated paraphernalia located on the western edge of the village of Mickleton.

Two post war residential dwellings known as 'Arbour Close' and 'Harborlow' lie approximately 120m to the south of the application site. A further residential dwelling 'Maple House' lies approximately 140m to the west of the application site and a detached property called 'Haycroft' lies approximately 210m to the south west.

The site is also located outside the Cotswolds Area of Outstanding Natural Beauty (AONB). The AONB boundary extends along the southern edge of the B4632 which runs in an east west direction past the southern boundary of the nursery site. The application site lies approximately 150m to the north of the AONB boundary.

2. Relevant Planning History:

No relevant planning history

3. Planning Policies:

NPPF National Planning Policy Framework
LPR05 Pollution and Safety
LPR42 Cotswold Design Code

4. Observations of Consultees:

Environmental Health - views incorporated within the officer's assessment.

5. View of Town/Parish Council:

No comments at time of writing report

6. Other Representations:

No comments at time of writing report

7. Applicant's Supporting Information:

Chimney height calculations

8. Officer's Assessment:**The Proposals**

The proposal relates to the removal of three existing chimneys and their replacement with 2 new chimneys, these changes are proposed, following a number of complaints regarding the emissions from the chimneys. The proposed chimney flues are part of the requirements set out in

a report commissioned by the Biomass centre setting out improvements needed both environmentally and for the public health of nearby residents. The chimney flues are part of a replacement heating system that is essential to provide heat for the greenhouses on site, whilst improving the emission standards to meet the strict emission standards set out within the legislation. The proposed chimneys would be sited within a well-established Garden/nursery operation.

The proposed chimney flues would be raised from 7m to 10m in height, have a diameter of 300mm and be finished in matt black. The chimney flues would be in the same locations as the two existing stainless steel chimney flues.

(a) Design and impact on the Surrounding Area.

Section 7 of the NPPF makes it clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. This advice is reflected in Policy 42 which states that development must respect the character, appearance and local distinctiveness of the Cotswold District. The detailed design, materials and layout of buildings and structures must be appropriate to their setting and the character of the surrounding.

The proposed chimney flues would be sited in the same location as the existing flues located within the centre of the nursery site, the majority of the site is screened by well-established boundary treatments. However, giving the overall height of the chimney flues glimpsing views of the development would be affordable from the surrounding area. Whilst a PROW runs immediately to the south of the site, it is considered that any public views of the chimney flue, would be placed in context with the existing commercial development on the site. It is therefore considered that given the size, siting and design of the proposed chimney flues and the fact they replace existing flues; the proposal would not result in an adverse landscape or visual impact on the surrounding area and is in accordance with guidance contained within section 7 of the NPPF and policy 42 of the Cotswold District Local plan.

(b) Impact on Neighbouring Living Conditions

With regard to the impact upon residential amenity, Policy 5 of the Local Plan and paragraph 17 of the NPPF require consideration of the impact upon the amenities of existing and future occupants of land and buildings. Policy 5 clearly sets out the permission will not be given for development that would result in an unacceptable risk to public health, the environment and general amenity because of its location or due to the potential pollution of air.

As previously stated the proposed chimney flues are part of the requirements set out in a report commissioned by the Biomass centre setting out improvements needed both environmentally and for the public health of nearby residents.

The replacement chimney flues are set away from nearby residential units by a minimum of approximately 130m. This application is made to overcome environmental and health concerns that have been raised by the Council, and following assessment of the information by the Council's Environmental Health team it is considered the improvements proposed including the replacement chimney flues would be a benefit both environmentally and the health of occupants of nearby residential properties and therefore raise no objection to the application. It is therefore unlikely that there would be an unacceptable impact on neighbouring living conditions considering the improvements proposed. Overall the proposal would therefore accord with Policy 5 of the Local Plan, and paragraph 17 of the NPPF regarding amenity issues.

9. Conclusion

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Overall, this is a positive step in improving the standards of the heating system on the site, both environmentally and for neighbouring residents. Given the context of the surrounding development and the siting of the proposed chimney flues, it is considered the proposal would be acceptable on design grounds not result in an adverse impact on the character and appearance of the surrounding area. Given the supporting information submitted, the proposal would also not result in an unacceptable impact on neighbouring living conditions as a result of the proposed upgrade of the boiler system and the calculated chimney heights. Therefore the scheme is considered to comply with the guidance set out within section 7 of the NPPF and with Policies 5 and 42 of the Cotswold District Local Plan.

10. Proposed conditions:

The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the information submitted on 21st and 28th May 2015.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

Prior to the installation of the proposed chimneys the replacement boiler system and upgrade shall be implemented as agreed with the Councils Environmental Health Team as set out within the supporting statement dated 20th April 2015 unless new details are submitted and approved by the local planning authority.

Reason: To ensure that any concentration of air pollutants in the vicinity is minimised and/or a nuisance is not caused, in accordance with Cotswold District Local Plan Policy 5 and the National Planning Policy Framework.

The proposed chimneys shall be finished in matt black and shall thereafter be permanently retained in the approved colour unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan 42.

Trade Only Plant Sales Ltd

☒ Biomass Boiler Site

