

**Item No 06:-**

**15/04549/FUL CD.2288/S**

**Tops Nursery**

**Broadway Road**

**Mickleton**

**Chipping Campden**

**Gloucestershire**

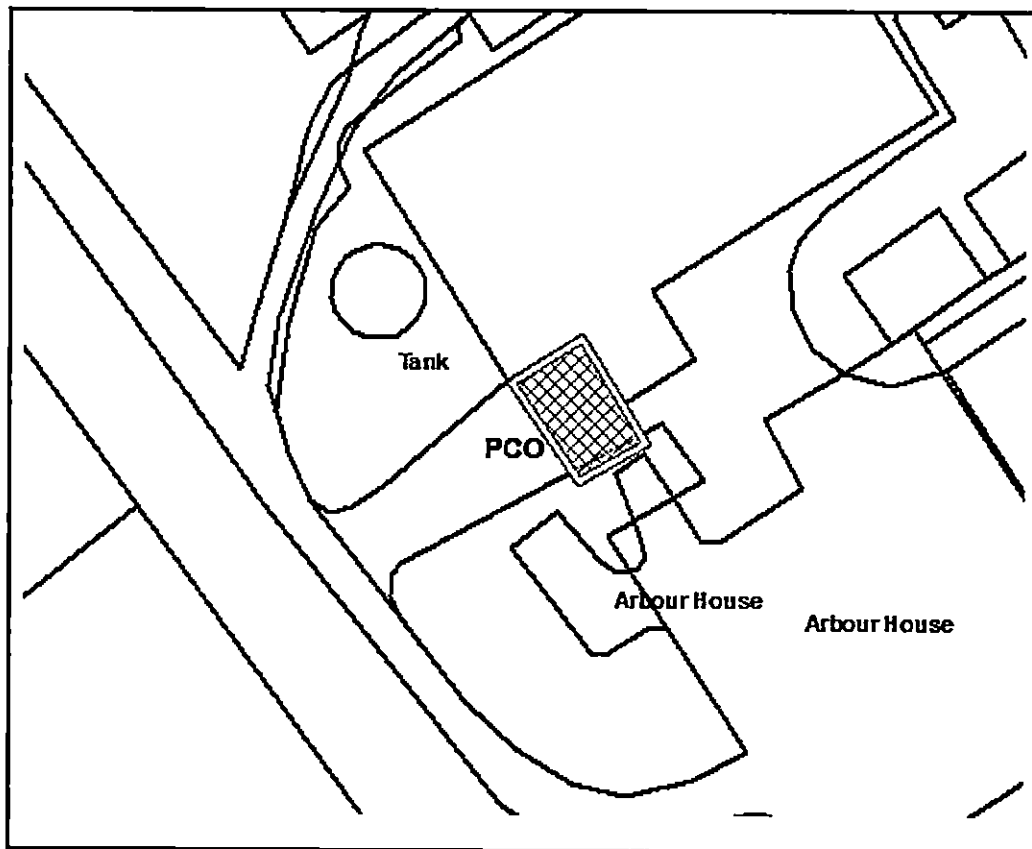
**GL55 6PT**

Item No 06:-

**Proposed Tea Room ancillary to Nursery at Tops Nursery  
Broadway Road Mickleton Chipping Campden**

<b>Full Application 15/04549/FUL (CD.2288/S)</b>	
Applicant:	TOPS Plants
Agent:	None
Case Officer:	Christopher Fleming
Ward Member(s):	Councillor Lynden Stowe Councillor Mark Annett
Committee Date:	9th December 2015

**Site Plan**



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**RECOMMENDATION: PERMIT**

**Main Issues:**

- (a) Design and impact on the Surrounding Area
- (b) Impact on the environment and living conditions of nearby residential properties

**Reasons for Referral:**

The applicant is a district Councillor, Cllr Lynden Stowe.

**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 18m and 48m respectively, to the east of the application site. A further residential dwelling called 'Haycroft' lies approximately 68m 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.

**2. Relevant Planning History:**

15/02269/FUL - Planning Permission for the proposed replacement of three chimney flues on greenhouse boiler installation with two chimney flues permitted 21st August 2015.

**3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR05 Pollution and Safety  
 LPR19 Develop outside Development Boundaries  
 LPR42 Cotswold Design Code  
 LPR46 Privacy & Gardens in Residential Deve

**4. Observations of Consultees:**

Environmental Protection Officer - No objection subject to condition

**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:**

Design and Access statement

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

The proposal relates to a new tea room to be used ancillary to the nurseries business on the site. The tea room would be constructed in red brick with slate tiles and would be 12.6m by 5.4m with

an overall height of 4.8m. It is proposed that the tea room would be open in line the current opening hours of the nurseries business. Access and parking would not be affected and the tea room would be sited adjacent to the current retail sales area, car park and access for customers to the nurseries.

**(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.

There are public houses and a hotel in Mickleton, but no other tea room in the village. The nearest alternative tea room type business would be at Hidcote Gardens. The use of the tea room would be limited to the sale of teas, coffee, cake, light snacks and soups warmed using a microwave.

The proposed building would be sited adjacent the existing greenhouses and its design is simple and linear in form. It is considered given the size, siting and design of the proposed building, that it would not result in an adverse landscape or visual impact on the surrounding area or streetscene and would accord with the guidance contained within section 7 of the NPPF and policy 42 of the Cotswold District Local plan.

**(b) Impact on the environment and living conditions of nearby residential properties**

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 tea room would not be used to prepare or serve cooked meals and no extraction/ ventilation system is required. Following assessment of the information submitted, it is considered the tea room would not result in an adverse impact on the amenities of occupants of nearby residential properties. It is therefore unlikely that there would be an unacceptable impact on neighbouring living conditions in accordance with Policy 5 of the Local Plan, and paragraph 17 of the NPPF regarding amenity issues.

**9. Conclusion**

Overall, this is a small scale ancillary building which is located away from residential properties. It would not result in visual harm, or harm to the landscape or to neighbouring residents. 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. 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 following drawing number(s): 15-004-01 Revision A and 15-004-02.

**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 construction of any external walls of the building hereby approved samples of the proposed walling and roofing materials have been approved in writing by the Local Planning Authority and only the approved materials shall be used.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

All windows and doors shall be of timber construction and they shall be painted/finished in their entirety within one month of their installation in accordance with a colour that has first been agreed in writing by the Local Planning Authority and permanently retained as such thereafter unless similar alternatives are first agreed in writing by the Local Planning Authority.

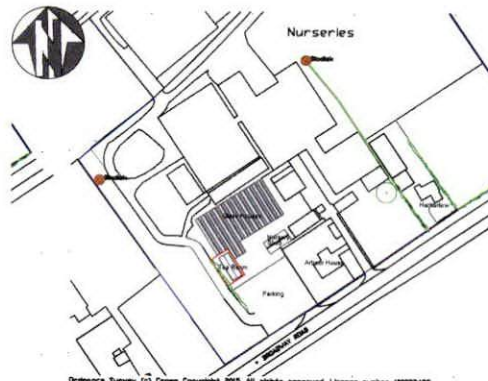
**Reason:** To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy 42.

Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or the equivalent to that Class in any statutory instrument amending or replacing the 2015 Order, the type of cooking equipment used on the premises is restricted to a microwave and shall not be altered unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To protect the amenity of the locality, especially for people living nearby, in accordance with Cotswold District Local Plan Policy 5 and the NPPF.

In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

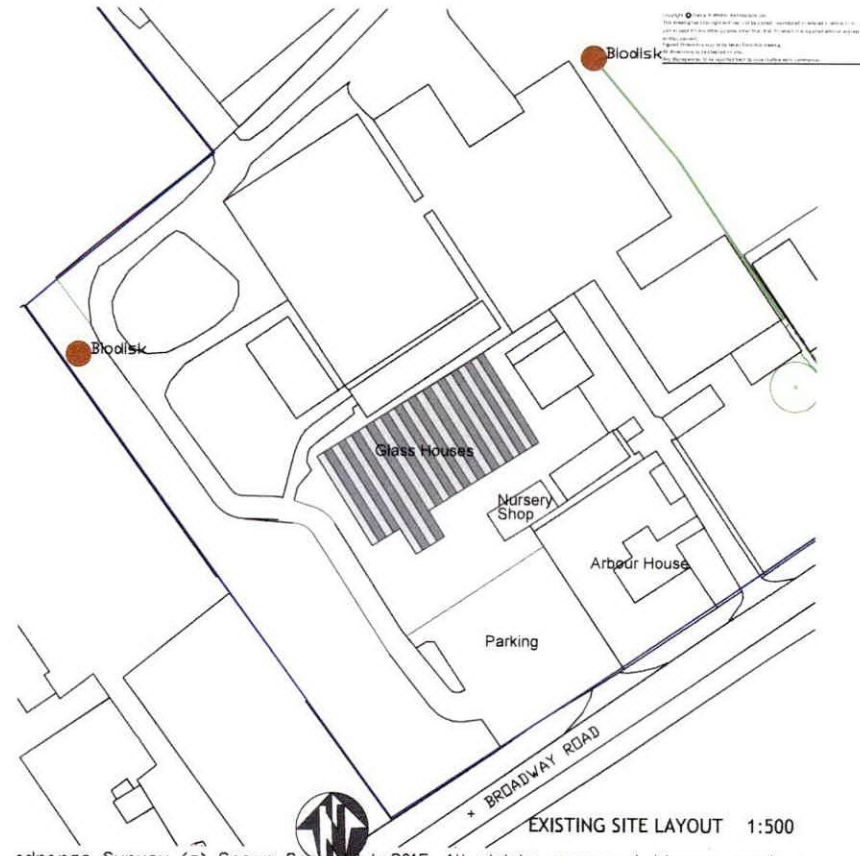
**Reason:** To prevent pollution of the environment in the interests of the amenity in accordance with Cotswold District Local Plan Policy 5 and the NPPF.



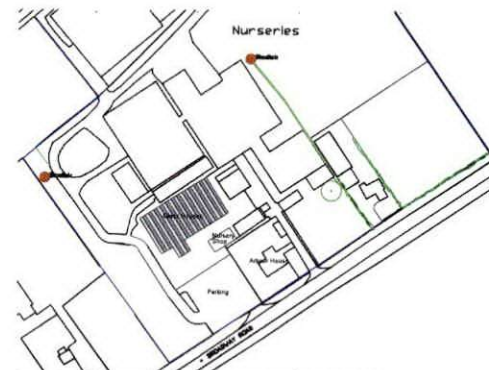
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**PROPOSED LOCATION PLAN 1:1250**



**PROPOSED SITE LAYOUT 1:200**



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**EXISTING SITE LAYOUT 1:500**



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**EXISTING LOCATION PLAN 1:1250**



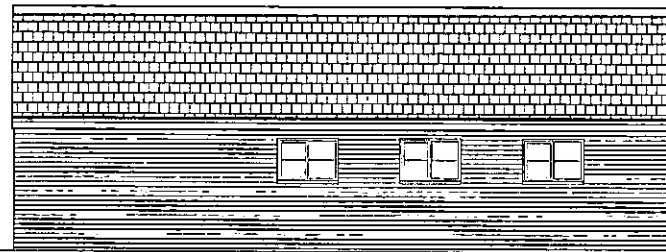
Client: **TOPS Nurseries**  
 Project: **NEW TEA ROOM**  
 Site Address: **TOPS Nurseries, Broadway Road, Mickleton**  
 Drawing Title: **Site and location plans**  
 Drawing Scale: **1:200, 1:500, 1:1250**  
 Drawn by: **C58** Date: **OCT 2015**  
 Project Number: **15-004 - 02**

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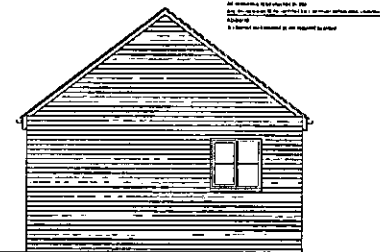
15/04549/FUL



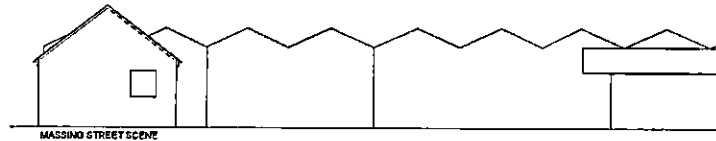
SIDE (N.E.) ELEVATION



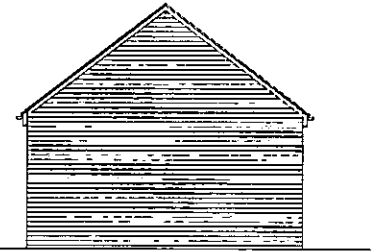
SIDE (S.W.) ELEVATION



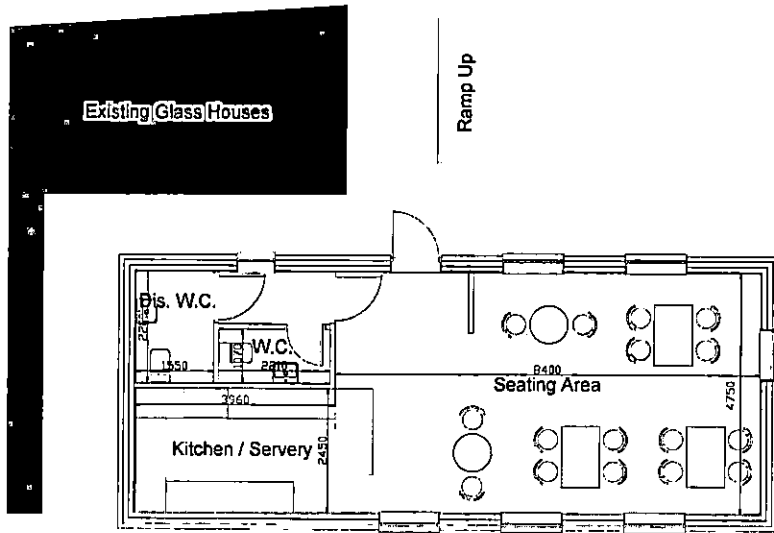
FRONT (S.E.) ELEVATION



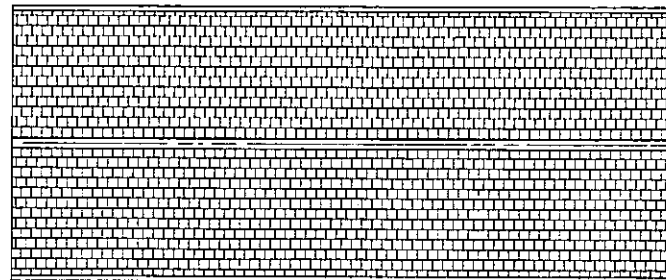
MASSIMO STREET SCENE



REAR (N.W.) ELEVATION



FLOOR PLAN



ROOF PLAN

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Client: TOPS Nurseries  
Project: NEW TEA ROOM

Site Address: TOPS Nurseries, Broadway Road, Mississauga  
Drawing Title: Proposed plans and elevations  
Drawing Scale: 1:50, 1:100  
Drawn by: CSB  
Date: Sept 2015  
Project Number: 15-004 - 01  
Revision: A