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<b>APPLICATION NO.</b>	P09/E1413
<b>APPLICATION TYPE</b>	Full
<b>REGISTERED</b>	19.01.2010
<b>PARISH</b>	Goring Heath
<b>WARD MEMBERS</b>	Mrs Ann Ducker Mrs Pearl Slatter
<b>APPLICANT</b>	D Wilson
<b>SITE</b>	Waterfield Nursery, Collins End, Goring Heath
<b>PROPOSAL</b>	Demolition of existing sheds and shop/office. Erection of 1) a covered open sided market area, 2) shop with integral ancillary snack bar, 3) equipment storage sheds for equipment used for the market garden and nursery maintenance, and 4) erection of chain link fencing to support new hedging
<b>AMENDMENTS</b>	One – to remove reference to the café previously indicated on the plans
<b>OFFICER</b>	Mr T Wyatt

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1.0 **INTRODUCTION**

1.1 This application is referred to Committee as the Officer’s recommendation conflicts with the views of the Parish Council.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) relates to approximately 1.6 hectares of land that has been used and run as a market garden and nursery for approximately 100 years. The site is located in a relatively isolated area away from any established settlements, however, the site is in a prominent location in terms of public views. In addition the site lies within the Chilterns Area of Outstanding Natural Beauty.

1.3 Copies of the plans associated with this planning application are **attached** as Appendix B whilst other documents relating to the application can be found on the Council’s website, [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

2.0 **THE PROPOSAL**

2.1 The application seeks permission for the replacement of existing buildings with three new buildings as described below.

1. Shop – This building would replace an existing shop building in a poor state of repair. The replacement building would be of a similar size and siting to the existing building. It would measure approximately 11 metres deep, 10 metres wide and 4.5 metres high. The building would contain sales areas for plants, vegetables and fruit along with customer toilets.
2. Covered Market – This building would replace existing sheds, and would measure approximately 4 metres deep, 20 metres long and 4 metres high. The building would have an open front with the exception of an enclosed office area and would be used primarily for the display of plants, vegetables and fruit.
3. Machinery Stores – This building would also in part replace the existing sheds and a polytunnel. The building would measure approximately 8 metres long, 5 metres wide and 4 metres high.

2.2 The proposal also includes re-use of an existing access and ancillary works including erection of fencing and landscaping around the new buildings.

### 3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 **Goring Heath Parish Council** – The application should be refused due to a failure to meet the requirements of Policy A5 of the SOLP.

3.2 **Countryside Officer** – No objections

3.3 **Forestry Officer** – The upgrading of the existing access will need to be constructed using a 'no-dig' method of construction, which can be secured by condition. An investigation for contamination at the site should be carried out, and if necessary, the contamination should be remediated.

3.4 **Neighbours** – No correspondence received.

### 4.0 **RELEVANT PLANNING HISTORY**

4.1 P08/E1130/RET - Siting of a mobile home for three years. Planning Permission on 19<sup>th</sup> December 2008

4.2 P07/E0316 - Three year siting of a mobile home. Planning Permission on 10<sup>th</sup> October 2007.

4.3 P96/S0025 - Five poly-tunnels. Extend existing hardstanding to provide lorry turning area and service area with new relocated access. Continued use of barn for ancillary retail sales, new ancillary plant sales area and 3 no. 2 Tonne gas tanks. Withdrawn prior to determination on 18 December 1997.

4.4 P88/S0054 - New access and use of adjacent land as car park, alterations to farm shop, closure of existing access. Planning Permission on 13 July 1988.

### 5.0 **POLICY AND GUIDANCE**

5.1 Policies of the Adopted South Oxfordshire Local Plan 2011 (SOLP):  
-G1, G2, G4, G6, C1, C2, C9, D1, A1, A4, A5, T1, T2

5.3 Government Guidance:  
-PPS1 – Delivering Sustainable Development  
-PPS4 – Planning for Sustainable Economic Growth  
-PPS7 – Sustainable Development in Rural Areas

5.4 Supplementary Planning Guidance  
-South Oxfordshire Design Guide December 2008 (SODG)

### 6.0 **PLANNING ISSUES**

6.1 The key planning issues that are relevant to this application are:

1. The principle of the development
2. The impact on the character and appearance of the surrounding area
3. The impact on the amenity of neighbouring occupiers
4. The impact on trees
5. Other material considerations

### The Principle of the Development

- 6.2 The site is located in a relatively isolated location away from any established settlement where there are strict controls over new development having regard to Policy G4 of the SOLP. The land has been used for market garden/nursery purposes for a substantial period of time with direct sales to the public, and the existing buildings to be demolished as part of this proposal have served this use.
- 6.3 The Parish Council has stated that the proposal fails to comply with Policy A5 of the SOLP. This Policy relates to proposals for garden centres and seeks to ensure that such uses are on the edge of or within a settlement. This site is not within or on the edge of a settlement, and a proposal for a new garden centre on the site would be generally contrary to Policy A5. However, this is not a new garden centre but a long established enterprise. The scale of the business is relatively low, particularly compared to many garden centres, which are also often located in relatively inaccessible locations. The proposed development is relatively modest in scale and would largely replace existing buildings used for storage and as sales areas in connection with the business. Therefore, Officers do not consider that the proposal would result in any significant intensification of the use of the site.
- 6.4 Sales from the site would largely be in respect of plants, vegetables and fruit grown on the site. Therefore, there would be a very limited amount of products imported into the site to sell to the public. A condition can be imposed on any planning permission to ensure that this remains the case. In this regard the proposal can be considered against Policy A4 of the SOLP, which relates to farm shops. The horticultural use of the site falls under the definition of agriculture, and proposals for farm shops will generally be permitted if it can be demonstrated that the scale of operations is small, that the shop is needed to sell goods produced on the unit, that existing buildings are used where possible, that there would be no significant impact on a nearby village shop and there are no overriding environmental, amenity or highway objections. Officers consider that the proposal complies with these restrictions. Existing buildings have been used for the business, but these are no longer fit for purpose and therefore Officers consider that the principle of their replacement is acceptable.
- 6.5 The amended plans were submitted following concerns that the original plans referred to a café use in the building. Whilst it is considered acceptable for some refreshments to be provided on site for the benefit of customers, Officers are concerned about any possible proposals for a more formalised café use on the site, which may have the potential to attract visitors in its own right rather than being an incidental use to the main use of the site.

### The Impact on the Character and Appearance of the Surrounding Area

- 6.6 The application site lies in a prominent location within the Chilterns AONB. Policy C2 of the SOLP as well as advice within PPS7 seeks to ensure that development preserves, or where possible enhances, the natural beauty and special landscape qualities of the AONB.
- 6.7 The existing buildings to be demolished are in a rather poor state of repair and make no positive contribution to the appearance of the site. Like the existing buildings, the proposed buildings are relatively modest in size and would occupy a similar footprint. The proposed facing materials would mainly comprise timber cladding for the walls with clay roof tiles, and such materials would be appropriate to the functional nature of the buildings and their rural location. Any increase in the visual impact of the buildings in public views from outside of the site would not be significant.

The Impact on the Amenity of Neighbouring Occupiers

- 6.8 The nearest dwellings are located approximately 100 metres to the north of the site of the proposed buildings. The development, due to the siting and modest size of the buildings would not directly affect the amenity of these neighbouring occupiers, and any intensification in the use of the site is unlikely to cause any significant noise disturbance. The reinstatement of the existing access as the entrance to the site would take some traffic away from the current access, which is closer to residential properties to the north although this access would continue to serve as the site's vehicular exit point.

The Impact on Trees

- 6.9 The reinstatement of the existing access, which lies close to protected oak trees, will require upgrading works. It is essential that works within the access are carried out to avoid damage to the trees, and the Forestry Officer is satisfied that this is possible and that details of the works can be secured by condition. The proposed buildings are not close to any protected or unprotected trees.

Other Material Considerations

- 6.10 The proposal replaces existing buildings and results in an upgrading of facilities rather than an intensification of the use of the site. As a result there should not be a significant increase in traffic movements to and from the site. The proposal would utilise an existing access and this does not require planning permission in its own right whilst the parking areas within the site would largely remain as they are currently.

8.0 **RECOMMENDATION**

8.1 **That planning permission be granted subject to the following conditions:**

1. **Commencement within 3 years**
2. **Samples of materials to be submitted and approved**
3. **Landscaping scheme to be submitted and approved**
4. **Tree protection details to be submitted and approved prior to any works to the access**
5. **The shop and covered market building only to be used for the display, and sale of garden plants, and fresh vegetables and fruit, 80% of which shall be produced at the site.**

**Author:** Mr T Wyatt  
**Contact no:** 01491 823154  
**Email:** [planning.east@southoxon.gov.uk](mailto:planning.east@southoxon.gov.uk)