



# Parker Planning

POSITIVE PLANNING SOLUTIONS

## Planning Statement

**Proposal:** Proposed single storey rear extension to provide a store room - 24/01032/FUL

**Location:** Greenacre Garage, Church Street, Tarvin, Chester, CH3 8NA

### 1.0 Introduction

1.1 This Planning Statement has been prepared in support of a planning application for a single storey rear extension to provide a store room at Greenacre Garage, Tarvin. This Statement should be read alongside the submitted plans and refers to the relevant adopted planning policies.

### 2.0 The Site

2.1 Greenacre Garage is a petrol station with an ancillary shop located within the settlement boundary of Tarvin, which is a key service centre. There are residential properties that bound the site to the side and rear with open fields opposite the site.

Image 1: Aerial view



2.2 The whole of the external area of the site is hardstanding, providing parking and the front forecourt comprising the petrol pumps. The hardstanding at the rear of the building is currently used for storage of items associated with the petrol station and the shop, such as pallets, items of goods such as home fuel and canisters. See images 2 and 3 below at paragraph 5.1.

### **3.0 Planning history**

95/01111/FUL - Extension. Approved

03/00220/FUL - Re-cladding of external areas of the building. Approved

21/04447/ADV - New Fascia Signs and replacement of existing totem sign. Approved.

21/03484/FUL- Change of use of existing vehicle workshop to retail associated with the existing petrol filling station and provision of managers flat. Approved

23/01404/S73 - Change of use of existing vehicle workshop to retail associated with the existing petrol filling station and provision of managers flat - Variation of condition 5 (opening hours) of application 21/03484/FUL. Refused. Appeal dismissed.

### **4.0 Planning Policy**

4.1 Section 6 of the National Planning Policy Framework (December 2023) (The Framework) relates to 'Building a strong, competitive economy'. Paragraph 85 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

4.2 Paragraph 88 relates to supporting a prosperous rural economy stating that planning policies and decisions should enable:

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;

b) the development and diversification of agricultural and other land-based rural businesses;

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship

#### Cheshire West and Chester Local Plan (Part One) (LP1) and (Part 2) (LP2)

4.3 The adopted development plan comprises the Cheshire West and Chester Local Plan Part One (Strategic Policies) (LP1) adopted in 2015 and Part Two (Land Allocations and Details Policies) (LP2) adopted in July 2019. Policies in the National Planning Policy Framework (December 2023) are a material consideration in the determination of planning applications.

4.4 Policy SOC 5 of the LP1 and Policy DM 2 of the LP2 provide that new development should not result in a significant adverse impact upon the residential amenity of the occupiers of existing properties or future occupiers of the proposed development.

4.5 Strategic Policy ECON 1 of the LP1 supports economic growth, employment and enterprise and states that the refurbishment and enhancement of existing sites and premises for continued employment use will be supported. The policy seeks to promote sustainable economic growth and support existing businesses having the potential to support the growth and expansion of key business sectors

4.6 LP1 policy ENV 6 promotes high quality design and sustainable construction and states amongst other things, that development should respect local character and achieve a sense of place through appropriate layout and design. Policy DM 3 of the LP2 states that in line with LP1 policy ENV 6 that development will be expected to achieve a high standard of design that respects the character and protects the visual amenity of the local area. Design solutions will be supported that are designed to respect the scale, character and appearance of any existing building within the site and contribute positively to the character of the area.

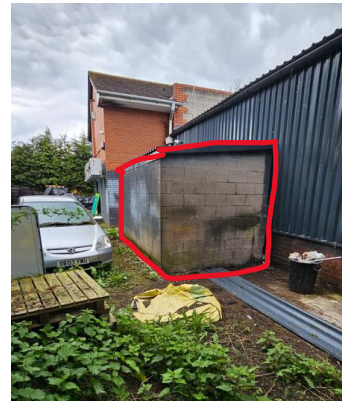
## 5.0 Assessment

5.1 The single storey extension will be sited at the rear and will replace an existing breeze block structure, outlined in red in images 2 and 3 below. It will project from the rear elevation to effectively infill the open area up to the rear boundary. The purpose of the extension is to store stock items related to the petrol station and shop.

Image 2



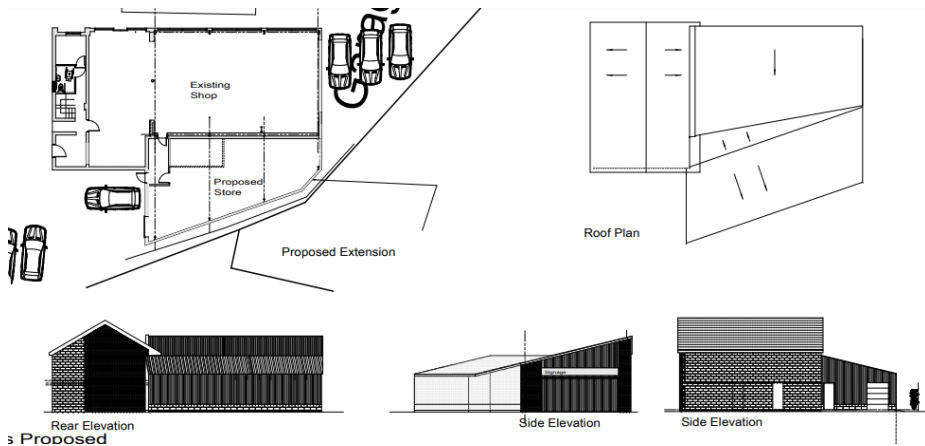
Image 3



### Visual Appearance

5.2 The extension is single storey sited at the rear of the building, which is currently an unkempt open area used for storing items related to the petrol station and shop. The extension would appear subservient to the main building designed with a sloping roof, which helps to reduce its visual impact. The siting of the extension and use for storage would serve to improve the appearance of this part of the site. It would provide for the storage of stock items, also assisting in effective security on the site. Image 4 below is an extract from the submitted plans that show the layout and elevations of the extension.

Image 4



- 5.3 It is considered that the proposed extension would result in a scale and appearance that is appropriate for the purpose intended and that is subordinate to the original building. This takes into account the positioning of the extension within an existing petrol station. It would not be seen from the road and as such, there would be no impact to the street scene or character of the area in general. The extension represents a scale and design that respects the character and protects the visual amenity of the local area in accordance with LP1 policy ENV 6 and LP2 policy DM 3.

#### Residential Amenity

- 5.4 There are dwellings located at the rear of the site, sharing the rear boundary. As the extension is single storey, it would be barely visible from the outlook of these properties. Especially given the existing boundary treatment, consisting of landscaping within the residential gardens with some within the application site that would effectively screen the extension. Notwithstanding, the small-scale nature of the extension and sloping roof would not appear overly prominent to result in any loss of amenity or harm due to over dominance. Furthermore, the dwellings immediately at the rear of the proposed extension are some 23 metres away. The site has experienced security issues with people gaining access to the rear of the site outside opening hours, which also has a negative impact on the occupiers of those properties bounding the site. The siting of the extension would remove this potential security threat by enclosing this area. There would be no adverse impact on residential amenity in accordance with SOC 5 of the LP1 and Policy DM 2 of the LP2.

#### Ecology Considerations

- 5.5 Under the statutory framework for biodiversity net gain (BNG), subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact (‘net gain’) on biodiversity. There are exemptions which disapply the condition from certain planning permissions.
- 5.6 Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 relates to small developments that are defined as falling under the ‘de minimis exemption’, which is applicable for this proposal. It states:

4.—(1) *The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions.*

(2) *The first condition is that the development does not impact an onsite priority habitat.*

(3) *The second condition is that the development impacts—*

(a) *less than 25 square metres of onsite habitat that has biodiversity value(1) greater than zero; and*

(b) *less than 5 metres in length of onsite linear habitat.*

(4) *For the purposes of this regulation—*

(a) *“priority habitat” means a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006(2);*

(b) *a habitat is impacted where the habitat is lost or degraded such that there is a decrease in the biodiversity value of that habitat;*

(c) *“linear habitat” means the types of hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric(3) (which are measured by length (expressed in kilometres) rather than area).*

5.7 Government Guidance on biodiversity net gain (Paragraph: 004 Reference ID: 74-004-20240214) reiterates that the ‘de minimis exemption’ only applies to development if the following two conditions are met:

- the development must not impact on any onsite priority habitat; and
- if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow).

5.8 The exemption ensures that BNG is applied proportionately and that a development does not incur unnecessary extra cost. This exemption is also designed to ensure that BNG does not apply to either very small-scale development or development which does not impact habitat, through loss or degradation within the red line boundary. The proposed single storey extension is classed as a small-scale development that would not negatively impact habitat or alter any habitat. There is no onsite priority habitat, meeting the first condition as set out above. There is no onsite habitat with any biodiversity value on any part of the site. The boundaries to the site with the adjacent dwellings have some landscaping within those residential gardens outside the application site. There are a few sporadic trees within the site along the rear boundary, that will be retained and would be unaffected by the development. These do not comprise non-priority onsite linear habitats, usually defined as native hedgerows. Accordingly, the second condition of Regulation 4 is met. This assessment has also taken references contained via the following link:

<https://defraenvironment.blog.gov.uk/2024/01/22/biodiversity-net-gain-what-are-the-exemptions/#:~:text=Development%20below%20a%20de%20minimis%20threshold&text=If%20a%20development%20impacts%20less,will%20be%20subject%20to%20BNG.>

### Highway Considerations

- 5.9 There would be no change to the existing access and parking arrangements at the site as a result of the proposal. Accordingly, there will be no impact on the highway network.

### **6.0 Conclusion**

- 6.1. The proposal would improve the facilities at the existing petrol station site in accordance the Framework and LP1 policy ECON1. The scale, design and appearance of the single storey extension is considered to be appropriate and in keeping with the character of the site and the wider area. There would be no harm to the visual or residential amenity of the area. The proposal will have no harmful impact on ecology or biodiversity considerations or any impact on highway safety.
- 6.2 For the reasons set out above, it is considered that the proposal would be in accordance with LP1 policies ENV 6, ECON 1 and SOC 5 and LP2 policies DM 2 and DM 3 and the National Planning Policy Framework. Taking into account the provisions of the development plan and all other material planning considerations, it is recommended that planning permission be granted.