

Application Number: 10/00490/FUL

Other

Construction of a new village shop with new vehicular access and parking

AT Land Between The Village Hall, And 8A Church Road, Sherington

FOR Sherington Parish Council

Target: 18th May 2010

Ward: Sherington

Parish: Sherington Parish Council

Report Author/Case Officer: Richard Sakyi

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1.0 INTRODUCTION AND SUMMARY

(A brief explanation of what the application is about, what the main issues are and the officer's Recommendation to the Committee)

1.1 The Site

Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report. The application site is located to the south of the Sherington Village Hall and north of the residential property of 8A Church Road. The site has a 38m wide frontage to Church Road and a depth of 45m. The area is predominantly residential and within the settlement limit of the village however the land is within an area of designated recreation and open space as identified in the Proposals Map of the Milton Keynes Local Plan 2001 – 2011. Currently part of the land is used as parking area for visitors to the village hall.

1.2 The Proposal

Details of the proposal as described above can be seen in the plans appended to this report. The proposal seeks permission for the erection of a single-storey building to form a new village shop and post office with associated vehicular access and parking. The application is a re-submission of previous application reference 10/00018/FUL withdrawn on 11.03.2010.

1.3 Main Issues

1. Impact of the loss of part of designated recreation and open space (Policy L2) and whether or not there are material considerations sufficient to outweigh the strong presumption in favour of new shops providing local services within the development boundaries of villages as contained in Policy VS1 of the local plan.
2. Impact on the character and appearance of the area

3. Design and appearance
4. Impact on the residential amenities of neighbouring occupiers
5. Highway safety and parking.

RECOMMENDATION

It is recommended that planning permission be granted subject to the conditions set out at the end of this report.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National and Regional Policy

PPS1 – Delivering Sustainable Development

2.2 Local Policy

Adopted Milton Keynes Local Plan 2001-2011

Policy D1 – Impact of Development Proposals in Locality

Policy D2 – Design of Buildings

Policy VS1 – New Village Shops

Policy L2 – Protection of Public Open Space and Existing Facilities

Policy T10 – Traffic

Policy T15 - Parking

Supplementary Planning Guidance

None

Core Strategy

Policy CS 12 – Developing Successful Neighbourhoods

3.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

3.1 10/00018/FUL

Erection of a single storey building for use as a new village store and cafe with new vehicular access (Withdrawn on 11.03.2010).

4.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received)

4.1 Highways Development Control

Commented as follows: -

For the previous (withdrawn) application I raised objections to the proposals on parking and layout. Changes to the overall scheme (removing the café) and improvements to the access (vehicle and pedestrian) means my previous objections are overcome.

In terms of parking, the floor area is proposed as 136m² of A1 use. Under the parking standards the maximum parking requirement is 10 spaces (1 space per 14m² in zone 4). From overhead photography evidence I noted that there were 11 cars in the car park associated with the hall use. As the parking spaces are not physically marked out drivers naturally space themselves out further than a standard 2.4-2.5m wide space. In view of this it is reasonable to suggest that the car park could accommodate 14 cars. This means that including the proposed development the site should have between 21 and 24 spaces. The submitted plans show 22 parking spaces although two of these are shared with the delivery area. It is likely that as these are hash marked out spaces that only staff would use these at non-delivery times. I consider that overall the parking area is suitable to serve the new development and the hall.

In terms of access, the applicant has addressed my previous comments and submitted an improved layout which is acceptable. A Pedestrian access has now been incorporated into the layout linking the shop with the footway fronting the site.

As the applicant has addressed my previous objections to the proposals, I have no objections to planning permission being granted subject to conditions relating to means of access and parking.

4.2 Development Plans Manager

Commented as follows: -

The key issue here is the loss of public open space and if there is any justification to depart from policy. Under policy L2 "Planning permission will be refused for proposals involving the loss of open space used for leisure and recreation unless alternative provision of at least equivalent size, quality, suitability and convenience is made". The current proposal follows a recently withdrawn application for a village shop & post office in the same broad location. It should be noted that the currently proposed scheme has a smaller footprint and although it would still involve some loss of the play area this loss would be less significant than that caused by the previously proposed scheme. The submitted Design and Access statement confirms that due to the proposed development some play equipment will require relocating and that the Parish Council intends to add additional equipment to the play area. Also an email from the Council's Play Area Officer has been submitted in support of the proposal. The Play Area Officer indicates that there is sufficient play area for any additional or relocated play equipment.

Policy VS1

The Local Plan states "The Council supports the provision of new village shops as long as they are within the village development boundary, provide a local service and do not cause significant problems for local residents". It should be noted that in principle a new village shop in the established residential area is not contrary to the Local Plan as long as it is within the village development boundary and there are no site specific constraints that would merit refusal of a planning application.

Bearing in mind that the proposed shop would only marginally reduce the existing play/recreation area and that it would provide an important facility for the village and particularly for villagers without access to private transport I raise no objections to the current proposal.

4.3 Conservation and Archaeology

The proposal follows pre-application discussions following previous application being withdrawn. The site is part of the village hall property and is currently used for car parking and contains landscaping which provides open setting to the site and which runs into the open space beyond and which aids the setting of the conservation area.

Recent government guidance has been introduced, and PPS5 now requires that Local Planning Authority should take into account of the impact of development proposals on any heritage asset, in this case the setting of the conservation area.

The revised proposals are more in scale with the surrounding built environment, in principle, I see no objection to the proposal which has a proper frontage and relationship with Church Lane and would preserve the setting of the adjacent conservation area.

4.4 Environmental Health Manager

No representation received.

4.5 Landscape Technical Officer (Arboriculture)

The trees proposed for removal have an amenity value and in some cases considerable potential for increased future contribution in the long term; however others have inherent faults and may provide amenity value only in the short to medium term, possibly longer with early remedial surgery works. I would like to see detailed mitigating tree planting proposals for the proposed development which should replace the 10 trees lost with 10 new ones and perhaps 2 additional to allow for post planting losses. They should try to include trees either side of the car park entrance and some of suitable species within the car park itself.

4.6 Local Residents

The occupiers of the following properties were notified of the application:

- 1 – 39 (odd) Church Road, Sherington
- 2A – 24 (evens) Church Road, Sherington
- 1 - 2 Knoll Close, Sherington
- 1 - 5 (odd) Church End Sherington
- 2 School Lane Sherington
- 1 – 6 (cons) Griggs Orchard Sherington
- 40 – 45 (cons) Carters Close Sherington

In total there were 11 letters of objection to the scheme with various issues

raised including: -

1. This is a poor site selection for the proposed shop whilst there are better alternative sites in the High Street
2. inadequate parking provision leading to congestion in nearby Church Road
3. fear of increased crime in the area similar to the previous village shop
4. safety and security of young children playing in the recreation area
5. nuisance and loitering of people hanging about
6. vehicular parking will affect the functions at the village hall which is used 6 days a week
7. Loss of privacy for No 8A Church Road
8. the proposed building would be closer to Church Road and so will have a greater impact on the local environment and will more drastically change the character of Church Road
9. the proposed development is contrary to Milton Keynes Council (MKC) policy of segregating buildings for residential and commercial use
10. located away from the High Street, passing trade will be greatly reduced which would lead to the development becoming a 'white elephant' an abandoned/empty building or to be sold on for other use
11. the entrance to the proposed development is immediately opposite to the access to two residential properties on the opposite side of Church Road (numbers 17 and 19) and could increase the risk of an accident – vehicle and/or pedestrian
12. the opening hours of the proposed shop/post office, particularly in weekday mornings and on a Sunday morning, are likely to cause disturbance and nuisance to the surrounding residential properties
13. the potential for anti-social behaviour since the development and adjacent public open space may become a location for the congregation of people consuming alcohol bought at the shop with the consequent disturbance and anti-social behaviour that may occur as a result
14. impact on the character and appearance of the area
15. significant loss of trees
16. loss of children's play area and football pitch
17. destroy the 'feel' of this part of the village
18. loss of established trees and bushes

5.0 CONSIDERATIONS

(The analysis of the issues which are critical, material, considerations and/or of greatest concern to objectors for the Committee to weigh up before making a decision)

5.1 The principle of development

The starting point for assessing the planning application is the present land allocation in the Adopted Local Plan, which is recreation and open space. Under policy L2 "Planning permission will be refused for proposals involving the loss of open space used for leisure and recreation unless alternative provision of at least equivalent size, quality, suitability and convenience is made". The current application follows a recently withdrawn application for a village shop & post office in the same broad location. Although the current scheme has a smaller footprint it would still involve loss of a small part of the play area of approximately 11%. It is considered that this loss is not significant

to prevent the use of the land as recreation and open space. The Play Area Officer has indicated that there is sufficient play area for any additional or relocated play equipment. The imposition of condition will ensure that the relocation of the existing playing facilities would be appropriate to the site and its immediate surroundings.

- 5.2 Policy VS1 of the Local Plan states “The Council supports the provision of new village shops as long as they are within the village development boundary, provide a local service and do not cause significant problems for local residents”. It is therefore clear that in principle a new village shop in the established residential area is not contrary to the Local Plan as long as it is within the village development boundary and there are no site specific constraints that would merit refusal of a planning application. In light of the above, it is considered that the principle of a village shop in this particular location is acceptable.

5.3 **Impact on the character and appearance of the area**

With regard to the siting of the development, the proposal would involve the loss of some of the existing trees on the site, which currently forms part of the character and appearance of the area. The application includes a tree survey which identifies some of the trees being of moderate value, the rest being of low value. Although the application includes replacement planting it is clear from the submitted site layout plan that the proposal would result in the loss of trees on the site. The loss will have an impact on the established character and appearance of the area. However it is proposed to replace the trees lost including some trees along the frontage, furthermore landscaping will be dealt with by condition.

- 5.4 The occupiers of the neighbouring residential properties have objected to the proposal on the grounds that the development would result in the loss of the existing trees and greenery, which contribute significantly to the character and appearance of the area. The loss of the trees and greenery on the site would result in a change to the visual appearance of the area. The landscape officer has commented that several trees on the site have the potential of becoming fine specimen in the future, which would improve the character and appearance of the area but none of the trees have sufficient quality to warrant serving a preservation order. It is considered that an appropriate landscaping scheme could be provided by means of a condition to offset the loss of the trees.

5.5 **Design and appearance**

The proposed building would be in a form of single-storey with duo-pitched roof with eaves and ridge height of some 2.7m and 5.8m. The proposed building would have muted palate of wall materials of render and stone with aluminium windows and doors. The building would have duo-pitched slate roof with high level glazing on the gables to provide additional light. The overall appearance of the building in terms of scale, massing and design is considered to be in keeping with the village character and will preserve the rural context.

5.6 Impact on the residential amenities of neighbouring occupiers

With regard to the siting of the building, this would be approximately 3m from the southwest flank boundary of the site with 8A Church Road and the nearest part of the property to the boundary is 5m. There are windows to this property which face onto the site and currently have northeast facing views. It is considered that the proximity of the new building would result in some relatively minor loss of light and overshadowing to these windows during the late afternoon. However, it is considered that this loss of light and overshadowing is not so significant as to warrant a refusal of this application. Furthermore, the design of the roof of the building sloping away from the shared boundary will not impact significantly on the amenities of the that property to warrant a refusal.

5.7 Highway safety and parking

The highway officer is satisfied with the proposed access, parking, turning and manoeuvring within the site and has raised no objection to the scheme. It is therefore considered that the proposal complies with the relevant development plan policies T10 and T15 of the Milton Keynes Local Plan 2001 – 2011.

6.0 CONCLUSIONS

(The officer advice to the Development Control Committee on the appropriate decision, based on the policies of the Development Plan, taking into account the issues detailed in the report)

6.1 The current proposal for a new shop and post office is the only one to come forward despite investigations of other possible sites following the closure of the post office and the only remaining shop in the village on the High Street. Although residents in the vicinity of the proposed development have strongly objected to the application, it is considered that a shop and post office of the relatively small size proposed would be unlikely to have an unacceptable impact upon residential amenity, the appearance of the area or highway safety and convenience. It is possible to minimise any adverse impact by the imposition of suitable planning conditions as recommended below. The proposed new shop and post office will provide an important facility for the village and particularly for villagers without private transport.

6.2 It is therefore recommended that planning permission be granted subject to the following conditions.

7.0 CONDITIONS

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

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

Reason: To prevent the accumulation of planning permissions; to enable the

Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. The scheme for parking indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: to enable vehicles to draw off and park clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

3. No part of the development shall begin until details of alterations to the means of access has been submitted and approved in writing by the local planning authority. No part of the development shall be brought into use until the means of access has been altered in accordance with the approved details. For the avoidance of doubt, the alterations to include alterations to kerb lines, footways, tactile crossings, pedestrian access and appropriate signing and lining.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of access.

4. The external materials to be used in the development shall be in accordance with samples to be submitted to and approved in writing by the Local Planning Authority before any work is commenced.(M03)

Reason: To ensure that the development does not detract from the appearance of the locality.

5. A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before any part of the development is commenced. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed buildings, roads, footpaths and drains. All planting in accordance with the scheme shall be carried out within twelve months of commencement of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority. (L01)

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

6. Details of surface water drainage for the site shall be submitted to, and approved by, the Local Planning Authority before any work on the site commences. The drainage works shall be constructed in accordance with the approved details before the development is first occupied.(W01)

Reason: To ensure satisfactory drainage of the site.

7. Details of the proposed finished floor levels of all buildings and the finished ground levels of the site, in relation to existing site levels of surrounding property, shall be submitted to and approved by the Local Planning Authority before any work commences. The development shall be carried out in accordance with the approved levels. (G03)

Reason: To ensure that construction is carried out at suitable levels having regard to drainage, access, the appearance of the development and the amenities of neighbouring properties.

8. No overhead lines, wires or cables, whether for the purpose of telephones, electricity, wired television or any other purpose shall be erected on, over or across any part of the application site.(G04)

Reason: To protect the amenities of the locality.

9. Details of any, external illumination shall be submitted to and approved in writing by the Local Planning Authority before any such illumination is installed.

Reason: In the interests of the visual amenities of the area

10. No goods or materials shall be stored or displayed in the open. (U06)

Reason: To protect the amenities of the locality.

11. The building hereby permitted shall be used solely for retail (village shop and post office) and for no other purpose whatsoever (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that class in any Statutory Instrument revoking or re-enacting that order with or without modification.

Reason: Permission is granted having regard to the specific use described in the application and the local planning authority would wish to reconsider the position in the event of any other use being proposed.

12. Notwithstanding the tree survey submitted with the application, a detailed mitigating tree planting proposals for the proposed development shall be submitted and approved in writing by the local planning authority before the commencement of the development. The scheme shall include the replacement of the trees to be removed together with 2 additional trees to allow for post planting losses. The scheme shall also include trees either side of the car park entrance and some of suitable species within the car parking area.

Reason: In the interests of the visual amenities of the site and the area in general.

13. Notwithstanding the submitted details for the proposed door further details shall be submitted to and approved in writing prior to development being commenced.

Reasons: To protect the character of the conservation area.

14. No deliveries to or collections from the shop/post office shall take place between the hours of 7.00am and 7.00pm without the prior permission in writing of the Local Planning Authority.

Reason: To protect the amenities of nearby residential properties.

15. Details of the methods of deliveries to and collections from the shop/post office shall be submitted to and approved by the Local Planning Authority in writing and all deliveries and collections shall subsequently take place in accordance with the details so approved.

Reason: To protect the amenities of nearby residential properties.

16. The use of the premises hereby permitted shall only be carried on between the hours of 07.00 to 19.00 Mondays to Fridays and 07.30 to 18.00 on Saturdays and 07.30 to 12.00 on Sundays, Public or Bank Holidays.

Reason: To ensure that the amenities of the occupiers of nearby residential properties are not prejudiced.

17. No development shall take place until details of existing and new play equipments to be relocated or replaced and its implementation have been submitted to the Local Planning Authority and approved in writing. The approved details shall subsequently be retained to the satisfaction of the Local Planning Authority.

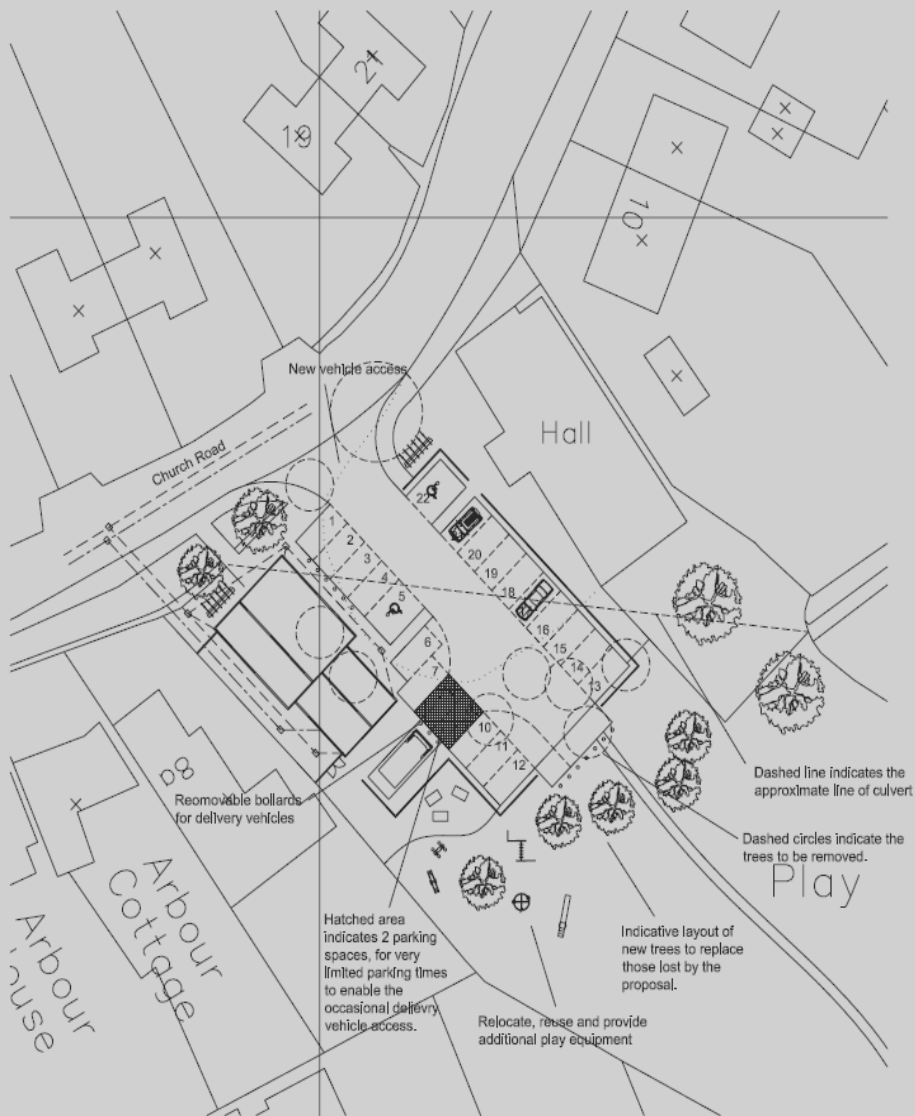
Reason: To ensure that the development takes account of the existing use of the site and features to be retained are adequately protected, in the interests of safeguarding the use of the play area and the visual amenities of the area in general.



Location Plan

notes

- The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works.
- Where an item is covered by drawings at different scales the larger scale drawing is to be worked to.
- Do not scale drawing. Figured dimensions to be worked to in all cases.



Block Plan

REVISIONS

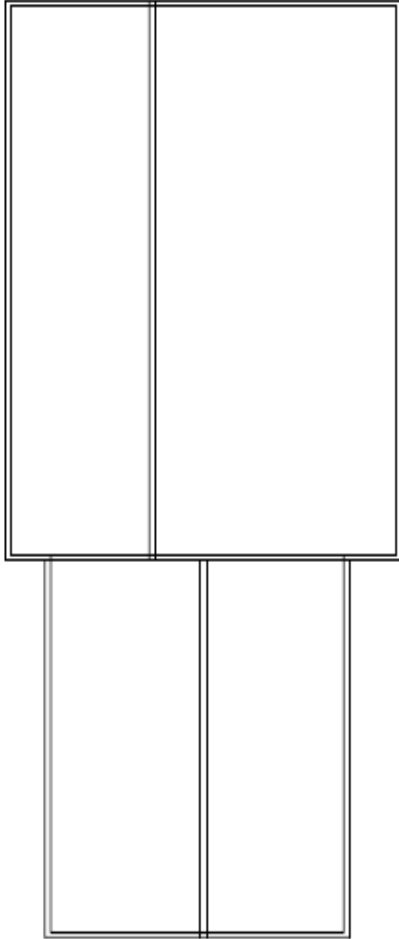


SCALE

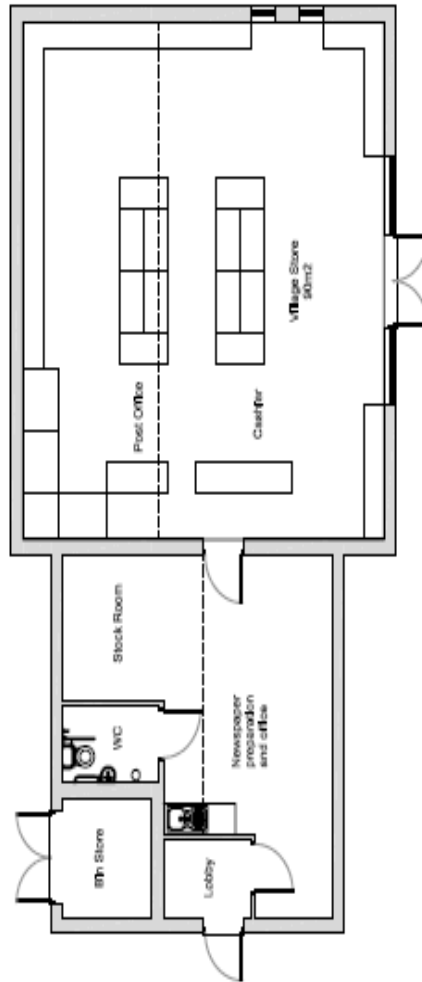
<p>Warren Bank House, 28 Square New Keynes, NWS 2AD</p> <p>0 01928 822222 1 01928 822244 info@lunearchitects.com</p>	Job	Sherlington Village Store	
	Drawing	Location and Block Plan	
	Scale	1:1250 and 500 @ A3	
	Date	March '10	
	Drawing No.	A0197-016	Rev/Mod

REVISIONS

- This schedule is intended to be used in conjunction with the drawings and specifications. Any discrepancies shall be resolved by the architect before proceeding with the work.
- Where an item is covered by another in different order the larger shall prevail to be worked in.
- Do not make any changes to the schedule without the written consent of the architect.



Proposed Roof Plan



Proposed Floor Plan

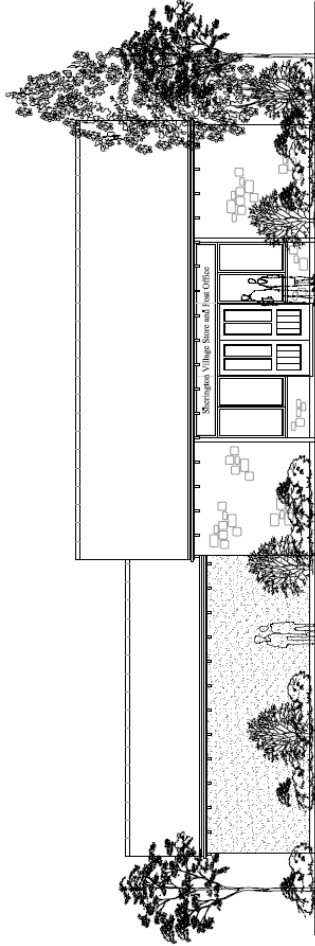


REVISIONS

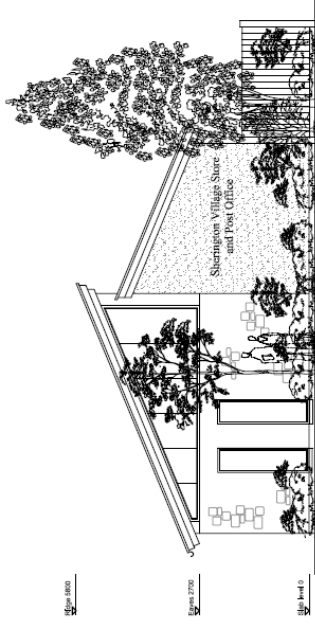
	Project	Shekington Village Store
	Client	Proposed Floor Plan
	Date	11/03/10
	Drawn by	March '10
Scale 1:100 @ A3		No. AD101-015

NOTES

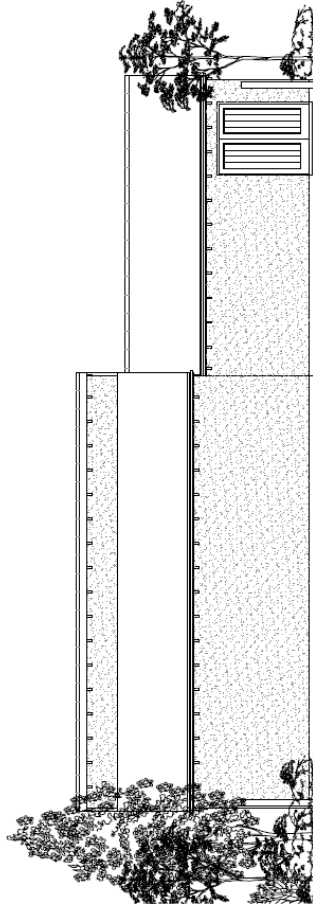
- The contractor is responsible for checking dimensions, elevations and references. Any discrepancy to be notified with the Architect before proceeding with the work.
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- Do not scale drawings. If ground dimensions to be worked to by off-cases.



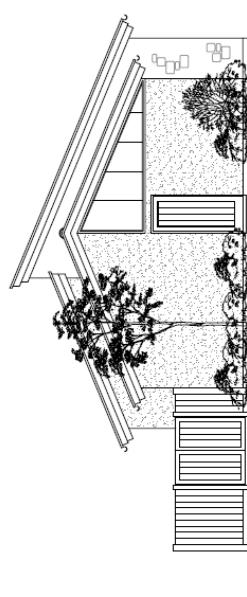
Proposed Front Elevation



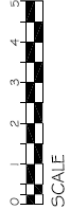
Proposed Side Elevation
(Elevation to Church Road)



Proposed Rear Elevation



Proposed Side Elevation



REVISIONS

PROJECT	Sherington Village Store and Cafe
DATE	Proposed Elevations
SCALE	1:100 @ A3
DATE	March '10
PROJECT NO.	AG197-017
DESIGNED BY	
CHECKED BY	
DATE	