

Planning Committee: 20 February 2007

Item Number: 17

Application No: W 07 / 0018

Registration Date: 03/01/07

Town/Parish Council: Barford

Expiry Date: 28/02/07

Case Officer: Steven Wallsgrove

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Barford Village Hall, Church Street, Barford, Warwick, CV35 8EN

Erection of a village shop FOR Barford, Sherbourne and Wasperton Parish Council

This application is being presented to Committee due to the number of objections received.

SUMMARY OF REPRESENTATIONS

Barford Parish Council are the applicants.

WCC (Highways): Have no objection to the amended plan subject to turning area and delivery lorry parking conditions.

WCC (Ecology): Recommend protection of trees during works.

English Heritage: Have no comment.

Barford Gardening Club: Support proposal.

Barford Relief in Need Charity: Support proposal.

Barford WI: Support proposal.

Barford Cricket Club: Support proposal.

Barford Residents Association: Support proposal.

Barford Scouts and Guides Supporters Group: Support proposal.

Parochial Church Convent: Support proposal.

Leisure & Amenities: Note there is potential for impact on the existing oak tree and that work will be needed due to the low branches but consider that, since the tree does not have a good form, this should not be a problem. They also note a replacement is to be planted for the long term and recommend a fencing condition to protect it with a permeable construction for the footpath.

Environmental Health: No objection.

Councillor Sawdon: Supports the proposal.

Neighbours: Letters of support have been received from 17 residents who refer to the village being disadvantaged by the loss of the least village shop and the Post Office. They also refer to the recent re-opening of a part-time Post Office in the adjoining Memorial Hall, and comment about its popularity.

Letters of objection have been received from 6 residents, generally on traffic and parking grounds, but some also refer to the loss of part of the open space, covenants, too large compared with the hall, impact on the oak tree, that villagers have now made other arrangements for shopping, and about the design and siting being inappropriate.

The representative of the donor of the land has written to object as the land was not intended to be built on and may be protected by a covenant.

1 resident, while keen to see a village shop, has concerns about deliveries, parking, opening times, waste management, and possible letting to a corporate or other use.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) RL4 - Loss of Open Space (Warwick District Local Plan 1995)
- (DW) S8 - Village Shops (Warwick District Local Plan 1995)
- RAP11 - Rural Shops and Services (Warwick District 1996 - 2011 Revised Deposit Version)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

PLANNING HISTORY

There is no relevant planning history, but planning permission was given for the Post Office in the village hall in 2006 (W06/0832).

KEY ISSUES

The Site and its Location

The proposed shop is shown as being built on the west end of the village hall on the edge of the 'village green', partly under the canopy of an old oak tree and in the Conservation Area. The site fronts onto Church Road, where there are steps

up onto the open space, and has Fairfax Close at the back, where there is an established shrub bed.

Details of the Development

The proposal is to erect a brick built, single storey, structure onto the end of the village hall which would have its ridge line higher than the hall entrance, but similar to the main hall. The building would be positioned at right angles to the hall and would extend forward of the hall to a line about 6 metres back from Church Street. An amended layout shows a turning area and two additional parking spaces off the existing parking area for the hall, which is where delivery vehicles would service the unit.

Architecturally, the building has been designed to respect the hall, but not copy it, with simple details and fairly small windows with a vertical emphasis.

Assessment

The principal issues in the case are the need for the development, the impact on the Conservation Area and open space, and the potential impacts on residential amenities.

On this last point, traffic will be limited since it is a local facility, and, as such, most people should not need to use their cars. It is inevitable, however, that there will be an increase in traffic but this should not cause any significant problems as the original shops in the village did not appear to cause any real problems, and they were on the main road.

In terms of the impact of the building on the character of the Conservation Area and the open space, it is considered that it is of an appropriate design for the setting and will not detract from the character of the area, even though it will come closer to the road than the village hall.

It will result in the loss of a small part of the open space, but the proposals include the resiting of the play equipment and additional tree and shrub planting. It is considered that the loss of open space is not significant and is balanced by the additional planting. The building will have some impact on the mature oak tree, but this will not be significant and will mainly be the need to remove some lower branches and a small area of roots at the canopy edge. The arboricultural advise has not raised objection to the proposals.

The remaining issue is the need for the facility. In general, the provision of local facilities is supported by the Local Plan (and its Review). There were a number of local shops in the village but, over the years, they have all closed as being uneconomic. In theory, however, they are still available.

The application has been submitted, however, by the Parish Council and follows detailed research by a number of working parties over the last two years. The strength of local interest is indicated by the fact that a "Barford Village Shop Community Interest Company" has been officially set up to promote, build, and run the facility as a 'community shop' and the whole project has had wide local consultation. The strong response from all of this consultation was that there was a clear local need, with offers of financial support from over 300 local residents. It is understood, however, that the commercial rents being asked for the old shop result in its re-opening not being viable and the reason for the present proposal being viable is simply because it would be operated by the community themselves, in a similar way to other 'community shops'.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1212/01G and /03e, and specification contained therein, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining

land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 4 All excavation works under, and within 1 metre of, the canopy of the adjoining oak tree shall be carried out by hand and the proposed footpath, within the same area, shall be of permeable construction. **REASON** : To minimise the impact of the works or the tree in order to ensure its longevity.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design and will have no material impact on residential amenity or the character of the Conservation Area. The proposal is therefore considered to comply with the policies listed.