

Item No 06:-

18/01674/FUL

**Priory Court
Poulton
Gloucestershire**

Item No 06:-**Erection of a single storey cafe building at Priory Court Poulton Gloucestershire**

Full Application 18/01674/FUL	
Applicant:	Priory Court Estates
Agent:	Eric Cole Ltd
Case Officer:	Adrian Walker
Ward Member(s):	Councillor David Fowles
Committee Date:	8th August 2018
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Development
- (b) Design/Impact on the Natural Environment
- (c) Amenity
- (d) Highway Safety and Parking Provision

Reasons for Referral:

This application has been referred to Planning and Licensing Committee at the request of Cllr Fowles for the following reasons:

Application is referred to the committee on the grounds of local concerns raised by the PC over design layout and location.

1. Site Description:

The site in question is part of the established Poulton Court Business Park and is currently an area of car parking. The land is not subject to specific landscape or other national planning designations.

2. Relevant Planning History:

17/04930/FUL: Erection of a single storey cafe building. Refused 20.02.2018. Refusal Reason: The application site comprises of an area of overflow car parking on the western edge of Priory Court Business Park. The site is in an exposed position with open countryside to the east. Given the prominent location and separation from the existing buildings on the Business Park, the proposal by virtue of its siting and design, would result in an incongruous form of development, which would be out of keeping with the cohesive character of the Business Park and its wider setting. The proposal is not considered to be designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, materials, setting and streetscene. Consequently, the proposal is judged to be contrary to the design guidance outlined in Cotswold District Local Plan Policy 42 and paragraphs 56, 63 and 64 of the National Planning Policy Framework.

05/00041/FUL: Erection of additional office accommodation. Refused 11.02.2005

CT.0946/L: The change of use and alteration of existing agricultural buildings to B1 (business) use. Permitted 22.06.2000

CT.0946/K: Change of use of existing cattle buildings (redundant) for B1 use. Permitted 16.12.1999

CT.0946/H: Revisions to scheme previously approved under reference CT.0946/F (change of use of redundant buildings to B1 and there-roofing of Barns 5 & 6). Permitted 27.12.1995

CT.0946/F: Change of use of redundant buildings to B1. Re-roof barns 5 and 6 with roofing tiles - Cotswold colour. Permitted 15.12.1994

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR05 Pollution and Safety
 LPR24 Employment Uses
 LPR25 Vitality & Viability of Settlements
 LPR32 Community Facilities
 LPR38 Accessibility to & within New Develop
 LPR39 Parking Provision
 LPR45 Landscaping in New Development
 LPR42 Cotswold Design Code
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

None

5. View of Town/Parish Council:

Poulton Parish Council objects to the application on the following grounds:

- Siting
- Design
- Visibility
- Light pollution
- Loss of parking
- Impact on the village shop

6. Other Representations:

No representations have been received as of 23/07/2018.

7. Applicant's Supporting Information:

Cover letter.

8. Officer's Assessment:

(a) Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that: 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' At the time of writing this report, the starting point for the determination of this application is the current development plan for the District which is the Cotswold District Local Plan 2001-2011 (existing Local Plan). By the date of the Committee meeting, however, it is expected that the currently emerging Local Plan will be adopted and its policies will carry full weight and supersede the 2001-2011 policies. As a result, both sets of policy will be quoted in this report.

The proposal involves the creation of a café for use primarily by occupants of the Priory Court Business Park however it will also be available for use by the general public. The café building would be single storey and measure 8.5m x 4.3m and the café floorspace would be 28m sq.

The site is currently used as car parking and in this respect it can be considered previously developed (brownfield) land. One of the core planning principles in the NPPF is to encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. This particular site is considered not to be of high environmental value due the existing use as a car park. The fact that the site is previously developed land weighs in favour of the proposal.

The NPPF and Policy 24 (Employment Uses) of the existing Local Plan seek to protect existing employment uses and promote economic growth. Emerging Local Plan Policy EC1 (Employment Development) promotes development that addresses local needs and ensures the vitality of the rural economy; however, emerging Policy EC3 (Proposals for Employment-Generating Uses) requires existing established employment sites to be retained for B Class employment uses unless there is no reasonable prospect of the site being used for employment purposes. The rationale behind the proposed development has been explained in the supporting documentation which demonstrates a lack of available facilities to support the existing Business Park within the local area and to promote sustainability.

Policy EC7 (Retail) of the emerging Local Plan supports proposals for small local shops and services providing they 'enhance a settlement's viability and help to meet the needs of, and are conveniently accessible to, the local community'. The supporting text states that 'small local shops and services (including public houses, post offices and surgeries) in the other 7 Principal Settlements and also in more rural settlements are recognised as important economic assets but also as a focus for wider social and community activities.

Proposals which would result in the loss of services and facilities should be avoided where this would damage the viability of a settlement or increase car travel by local residents.'

Policy 32 (Community Facilities) of the existing Local Plan seeks to protect community facilities such as village shops.

Concerns have been raised by the Parish Council regarding the impact of the proposed café on the village shop. The proposed café will provide a different service facility to the village shop. The result of a tenant survey of the Business Park, as submitted by the applicant, concluded that 73% of tenants do not make any purchases from the village shop as they consider it unsuitable for their needs. It is considered that the proposed café would be a complementary use to the village shop and reduce the number of tenants that have to leave the village by car to access similar services. The proposal would therefore support the sustainability and viability of the Business Park without a significant impact on the village shop.

Ultimately, the proposal would contribute towards one of the NPPF's principal aims of sustainable development and boosting the economy by ensuring the viability of the Business Park. Having regards to the principles of Policy 24, emerging Policies EC1, EC2, EC7 and the NPPF, the proposal to provide a café within the Business Park is acceptable in principle. However, there are other material considerations that need to be taken into account, which will be looked at in the following sections of this report.

(b) Design/ Impact on the Natural Environment

Section 12 of the NPPF seeks to achieve well-designed places. Paragraph 124 states that, 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Policy 42 (Cotswold District Design Code) of the existing Local Plan requires development to be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

Policy 45 (Landscaping) of the existing Local Plan requires high standards of appropriate landscaping in all developments and any attractive, existing landscape features, such as trees, hedgerows and other wildlife habitats should be retained and integrated into all landscaping schemes.

Policies EN1 (Built, Natural and Historic Environment) and EN2 (Design of the Built and Natural Environment) of the emerging Local Plan are also relevant along with Appendix D, the Cotswold Design Code.

The emerging Cotswold Design Code gives guidance for contemporary buildings stating that:

There should be an emphasis on simplicity of design, with detailing neatly resolved and of the highest quality.

In some instances the use of modern, non-local materials may contribute towards a successful contemporary design. This might include the use of more extensive areas of glazing, zinc or copper roofs, or timber cladding.

Officers consider the proposals to be modest in scale and would be clad in timber which is considered to be an appropriate material given the modern simplistic design. The building may be seen from the public realm and therefore, notwithstanding the acceptability of its design, would be softened by additional planting, which will help the building blend into the existing setting of the Business Park. The location of the café, within the existing car park, minimises the impact of the development on the surrounding countryside.

The previous application for a café at the Business Park (ref. 17/04930/FUL) was refused for the following reason:

The application site comprises of an area of overflow car parking on the western edge of Priory Court Business Park. The site is in an exposed position with open countryside to the east. Given the prominent location and separation from the existing buildings on the Business Park, the proposal by virtue of its siting and design, would result in an incongruous form of development, which would be out of keeping with the cohesive character of the Business Park and its wider setting. The proposal is not considered to be designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, materials, setting and streetscene.

Whilst the design of the building has not changed from the previously refused scheme, the siting has been changed so that the proposed building is significantly closer to the existing buildings of the Business Park. The Business Park was built in the 1990's and is of a modern design built from stone timber and render. It is therefore considered that the contemporary design is appropriate for the café and by moving the building closer to these existing buildings there is a better relationship and visual context which is welcomed.

It is therefore considered that the proposed café building would not detract from the existing character and appearance of the area. The proposal is therefore considered to be in accordance with existing Local Plan Policy 42, emerging local Plan Policies EN1 and EN2, and Section 7 of the NPPF and is acceptable in regards to design and appearance.

(c) Amenity

Existing Local Plan Policy 46 (Residential Amenity) states that the design and layout of new development should ensure reasonable privacy and daylight to neighbouring residents. This is reiterated Appendix D (Design Code) of the Emerging Local Plan.

Existing Local Plan Policy 5 (Pollution) sets out the policy seeking to ensure development does not result noise or odour nuisance or safety hazards. This corresponds with Policy EN15 (Pollution and Contaminated Land) of the Emerging Local Plan.

Given that the application site is surrounded by the existing Business Park and open countryside, with the nearest neighbouring dwelling located over 100m to the west, it is not considered that the proposal will lead to any loss of privacy or daylight or likely to cause significant pollution, smell or noise nuisance to neighbouring residents. A condition will be placed on the permission to restrict the hours of opening from 7am-6pm Monday to Friday which will prevent any use of the café outside the normal operational hours of the Business Park.

As such, the proposal is considered to be in accordance with Policies 5 and 46 of the existing Local Plan, Policy EN15 of the emerging Local Plan and Section 7 of the NPPF and is acceptable in respect of any potential impact on neighbouring living conditions.

(d) Highway Safety and Parking Provision

Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.

Existing Local Plan Policy 38 (Accessibility to and within New Development) from the Councils adopted Local Plan requires the appropriate provision of improvements to access or enhanced transport infrastructure to be provided as part of a development. Sustainable and safe access should be provided with modes for alternative transport to be safe, well-considered and attractive. Traffic arising from the development shall not have an unacceptably detrimental effect on the highway network.

Existing Local Plan Policy 39 (Parking Provision) seeks to secure vehicle parking that takes account of the proposed use, its scale and location, its existing and potential accessibility by walking, cycling and public transport, and the proximity and capacity of any existing off-street public parking.

Emerging Local Plan Policy INF3 (Sustainable Transport) supports development that actively supports travel choices with priority to walking and cycling and access provided to public transport. Links with green infrastructure, PROWs and wider cycle networks should be provided. Development that would have a detrimental effect on the amenity of existing infrastructure will not be permitted.

Emerging Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

Emerging Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network. Appendix F sets a maximum of 1 car parking space for 25 sq m of Use Class B1 development.

The site currently has 154 marked parking spaces and an additional 30 in the overflow carpark. This significantly exceeds the maximum parking standards as set out in appendix F of the emerging Local Plan.

The proposed café would result in the loss of approximately 5 spaces in the car park.

The loss of a minimal number of car parking spaces is considered acceptable given the existing car parking capacity and the availability of an overflow carpark. The proposal supports the sustainability of the site by reducing dependency on the car.

As such, the proposal is considered to be in accordance with Policies 38 and 39 of the existing Local Plan, Policies ENF3, ENF4 and ENF5 of the emerging Local Plan and Section 9 of the NPPF and is acceptable in regards to any highways and parking impacts.

9. Conclusion:

The application is considered to be in accordance with National and Local Policies and it is recommended that planning permission should be granted.

10. Proposed 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):

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

The oak shall not be treated in any way and shall be left to weather and silver naturally and shall be permanently retained as such thereafter.

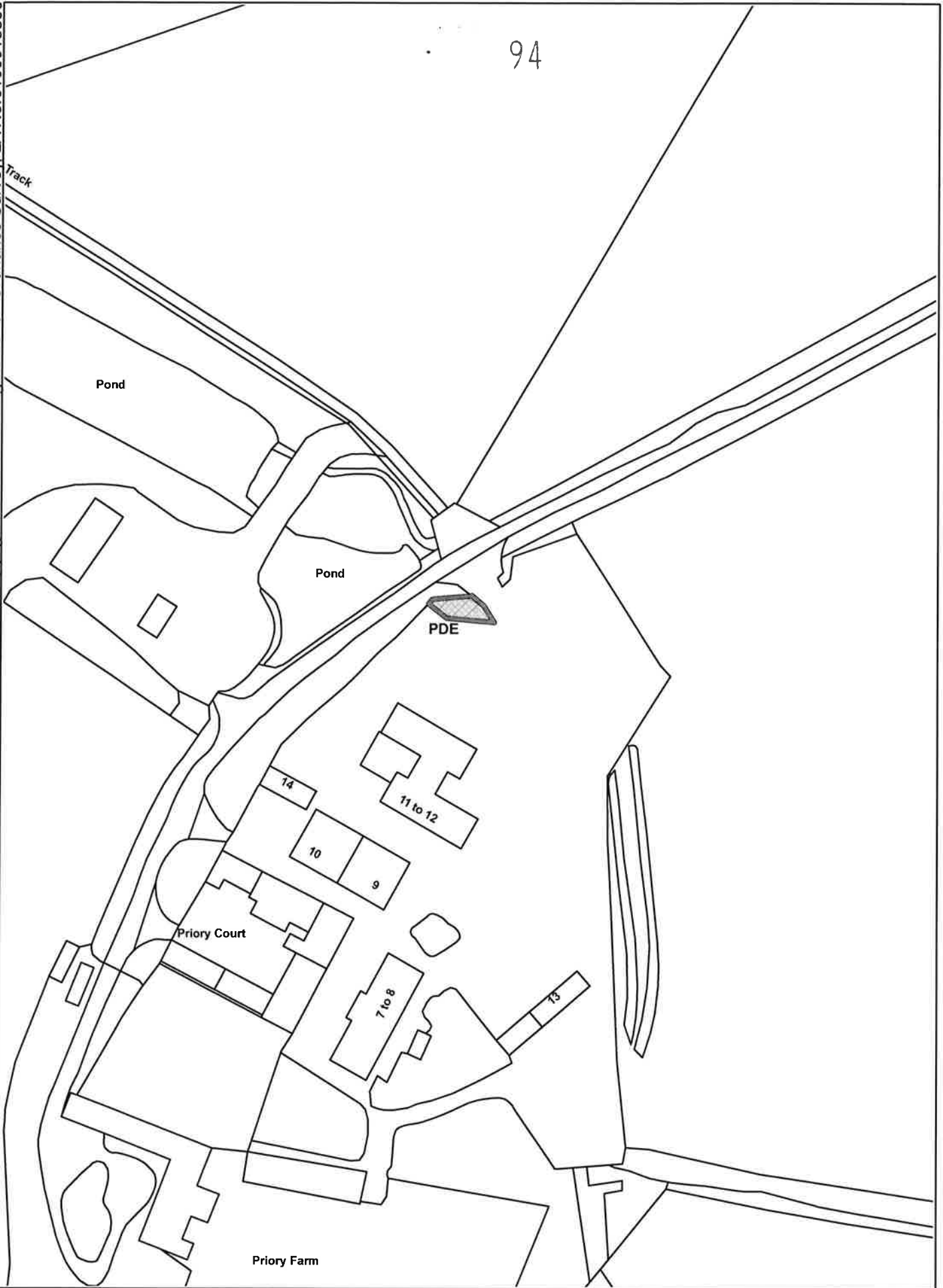
Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan.

The use hereby permitted shall not be open to customers outside the following times 7am to 6pm Monday to Sunday.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy 5 and the National Planning Policy Framework.

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COTSWOLD
DISTRICT COUNCIL

PRIORY COURT POULTON

Organisation: Cotswold District Council

Department:

Date: 26/07/2018

Scale: 1:1250



1. This drawing is intended to be used in conjunction with the following documents:
 2. The site plan, dated 17/02/2003, showing the location of the proposed building on the site.
 3. The site plan, dated 17/02/2003, showing the location of the proposed building on the site.
 4. The site plan, dated 17/02/2003, showing the location of the proposed building on the site.

REV/D MAY 18 - BUILDING DESIGN & LOCATION REVISED

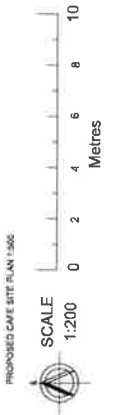
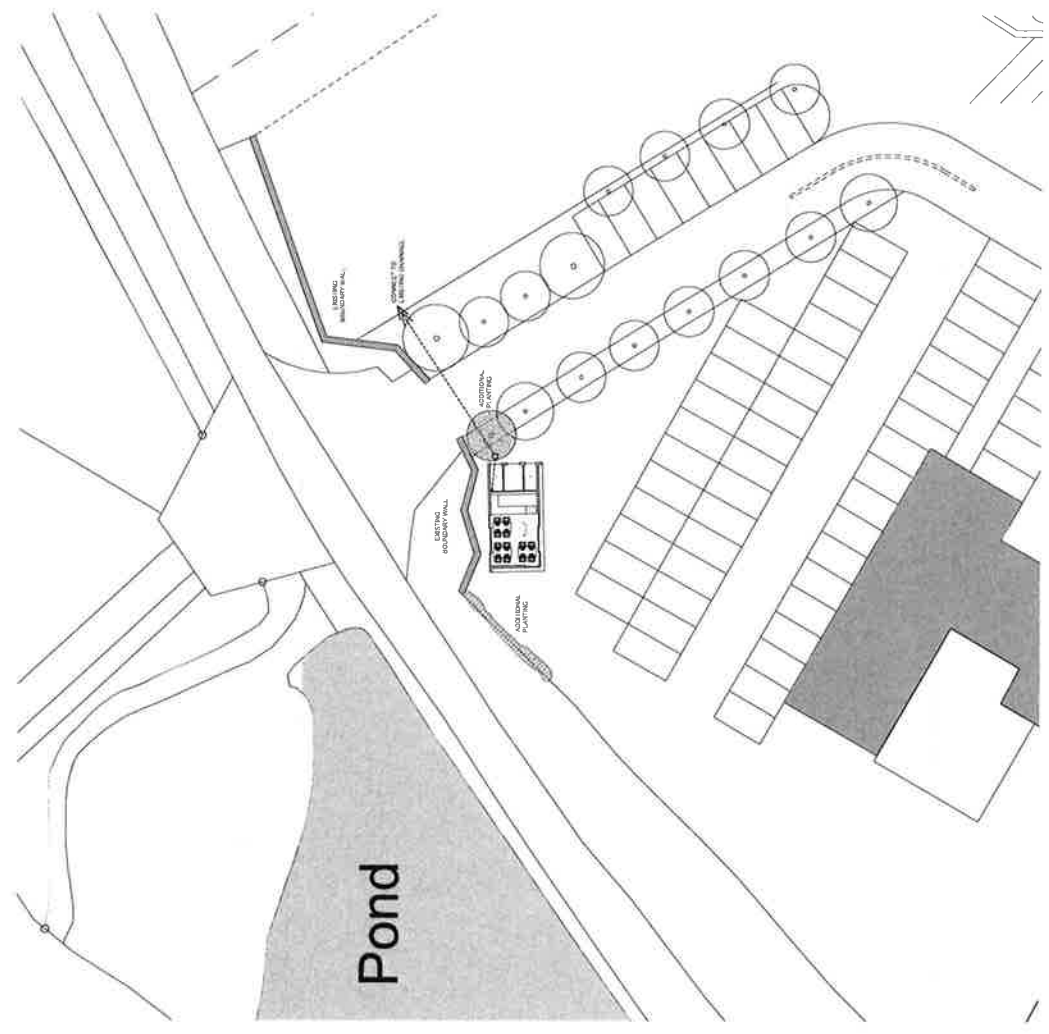
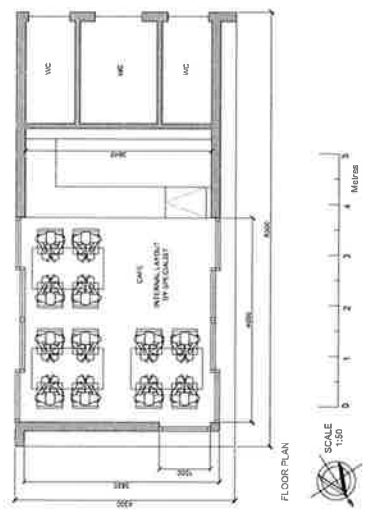
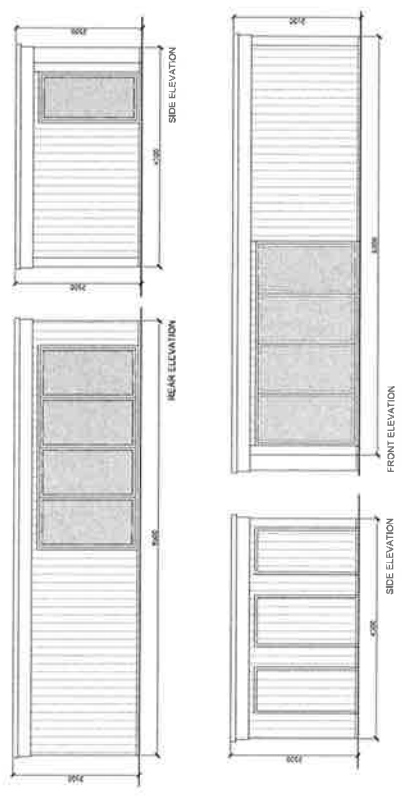
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ERIC COLE ARCHITECTS

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PROJECT NO.	17,029.03	D
DATE	17/02/2003	
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SCALE 1:200 0 2 4 6 8 10 Metres

