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APPL.NO: 07/01276/FUL APPLICATION TYPE: Full Application

PARISH: Seavington St Mary WARD: SOUTH PETHERTON

DESCRIPTION: Erection of a single storey community village shop and cafe (GR/340682/114643)

LOCATION: Land adjacent Millennium Hall, Water Street, Seavington St Mary, Ilminster Somerset

APPLICANT: Seavington Community Shop & Services Association

AGENT: Chris Baranowski DIP.ARCH(AA)RIBA, Higher Dairy House, Allowenshay, Hinton St George, Somerset TA17 8TB

DATE ACCEPTED: 14 March 2007

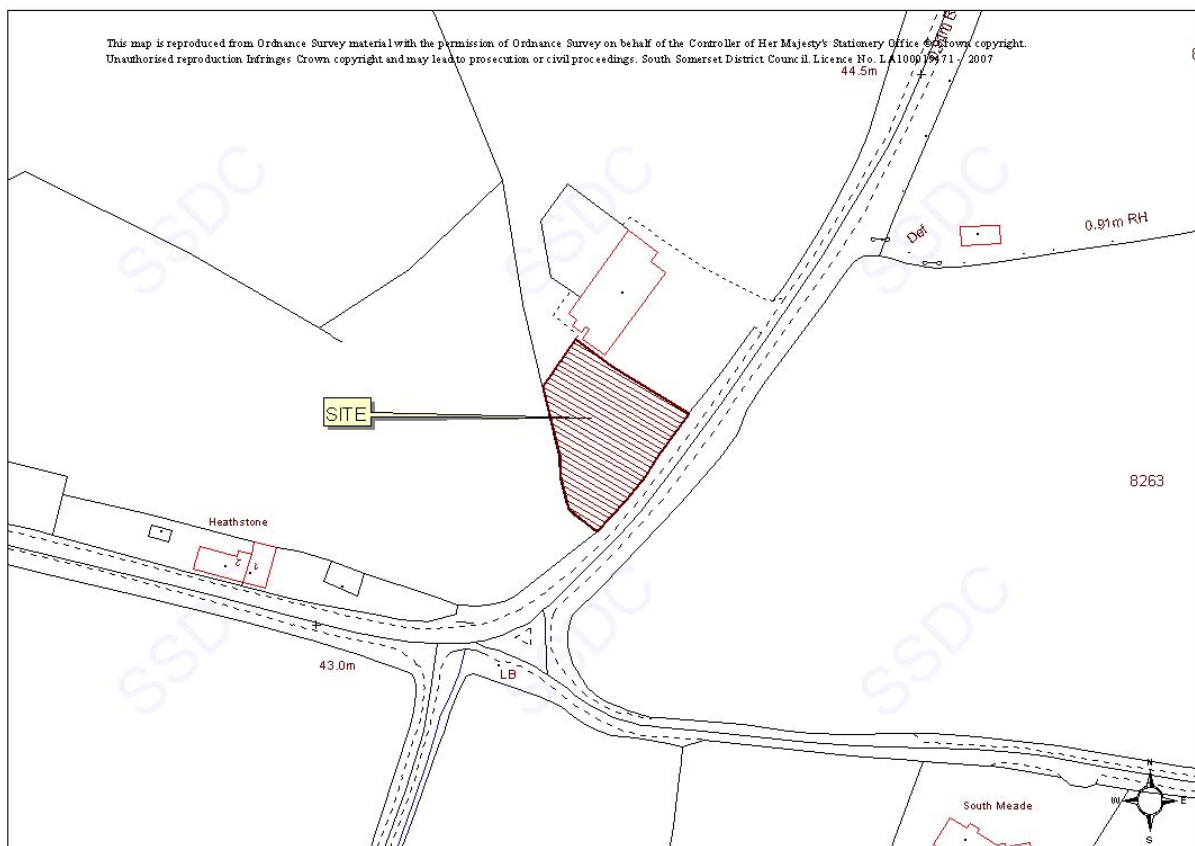
Reason for Referral to Committee

Members will recall that this application was considered at the June meeting of the Area North Committee. It was resolved to defer the decision for negotiations on extending the village hall to accommodate the community shop, ensuring a legal agreement for future community use and achieving additional car parking at the site. At the successful conclusion of these negotiations, the application be returned to Committee for determination.

Update

Following the Committee, meetings have been held with the agent, planning manager and ward members to discuss the resolution of the Area North Committee meeting. An oral update on the above matters will be given at the July meeting.

The officer report presented to the June meeting is included below.



SITE DESCRIPTION AND PROPOSAL

The site is located to the south west of the village of Seavington St. Michael outside of the defined development area at Water Street. The site lies immediately south of the existing Millennium Village Hall and currently there is a wooded copse providing natural screening to the village hall. The recreation field and associated play facilities lie immediately to the north. There is an existing tarmac car parking area to the front elevation of the village hall that currently serves the existing users of the village hall and the recreation field.

The proposal seeks full planning permission for the erection of a detached single storey village shop and café with a terrace. The building is orientated so as to face towards the existing car park to form a courtyard. The existing access to the site will be retained for customers of the shop and café. A new access is to be formed to the south of the building for delivery vehicles and volunteers who work in the shop/café. It is proposed to create a patio/terrace area to the north east with access from the café area.

In terms of scale, the building measures externally 18.5m x 12m. Internally, the floor area of the shop measures 12.3m x 10m, the floor area of the café measures 5m x 8.3m. Additional facilities such as a kitchen, larder, disabled toilet, plant room and office make up the remaining floor area. The building is proposed to be constructed of reconstituted stone with a fibre cement roof. It is proposed to fell the existing trees within the site to make way for the building. New planting is proposed to replace the lost trees.

HISTORY

No planning history directly relating to this site.

Various planning approvals relating to the erection of the adjacent village hall, recreation field and associated car park extending back to 1973.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country planning Act 1990 and requires that decision must be made in accordance with relevant development Plan Documents unless material considerations indicate otherwise,

Central Government Guidance:

PPS7 - Countryside

PPG6 - Retail

Relevant Development Plan Documents

Regional Spatial Strategy:

Policy VIS 2: Principles for Future Development

Somerset and Exmoor National Park Joint Structure Plan:

P19 - Employment and Community Provision in Rural Areas

STR1 - Sustainable Development

STR6 - Development Outside of Towns, Rural Centres and Villages

South Somerset Local Plan (Adopted April 2006)

ST3 - Development Outside Defined Development Areas

ST6 - The Quality of Development

CONSULTATIONS

Seavington St. Mary Parish Council - 'no objections'

County Highways - 'In principle the site is located outside of the development boundaries for Seavington and given the fact that there are limited footway facilities connecting to the site, the customers are likely to arrive by private vehicles. Such fostering of growth in the need to travel would be unsustainable. In detail, the parking facilities at the site are of a sufficient level to enable traffic to park within the curtilage of the site and not on the highway.

As a result, whilst the site is located in an unsustainable location it must be a matter for the Local Planning Authority to determine whether or not the benefits of the development in this location outweigh the sustainable transport objectives that seek to reduce the reliance on the private vehicle'.

SSDC Planning Policy - 'The proposals seem relatively large when compared to the scale of the villages and the existing village hall'.

SSDC Economic Development - 'no objection to idea of shop project and that local demand is genuine however need to ensure long term viability as project proposed to be run by volunteers - project shows only marginal profit based on crude business plan'.

SSDC Landscape Officer - 'no objection provided replacement planting is undertaken around the village hall and this site'.

REPRESENTATIONS

2 letters of representation received objecting to the development. No letters of support received for the application.

Concerns relate to:

Scale and need for the development:

'Although in theory this seems a good idea we feel it is on too large a scale for such a small village. We don't consider there is even a need for this development to take place. The village is well served by several mobile business people including a fishmonger, fruit and vegetable man and a milkman who sells a wide variety of goods. All necessary provisions can be brought to our doors. We also have a local café and shop at Lopen Head and a public house in Seavington St. Michael that more than caters for local needs and provides meeting places for local residents. The Millennium Hall also offers a small meeting room for hire.'

Wildlife and Landscape Impact:

'The proposed site falls outside the village limits and should be kept free from development to retain the beauty of the area. In the recent 2005 Village Plan it was mentioned by the local tree wardens that the Spinney at the southern corner of the playing field provided important amenity and wildlife value to this public space. We therefore feel that development here would be inappropriate'.

Flooding:

'The grassed farmland to the south west of the proposed site floods in heavy rain. The reductions of open land and vegetation and increase in solid area i.e. village shop would reduce natural drainage and increase the risk of flooding to our property'.

Parking and Traffic:

'Water Street is an area in Seavington where speeding is an issue and any increase in traffic be of concern as we have a children's play area. The Millennium Hall was also highlighted in the village plan as being an area of particular concern as regards parking especially people parking on the roadside verges.'

'We do not object to the village shop, but are concerned about the parking. The present hall car park is not always adequate and cars park on Water Street, that causes problems for passing traffic and the shop will cause more traffic.'

Security:

'Our concern over security is the secluded nature of the site. The village hall garage which is next to the site has been broken into on several occasions and petty vandalism is on going. We feel the shop would also incur such problems at this site'.

Long Term Viability of the Shop:

'In order for this project to succeed, it is necessary to rely on a large numbers of volunteers. What would happen if the shop closes? Would it be converted to housing and set a precedent for the area?'

The Applicants Case:

A brief for Councillors outlining the context of the planning application is attached to rear of this report.

CONSIDERATIONS

The main considerations in this case relate to a number of planning issues. The principle of developing in this location outside of the defined development area of Seavington, the scale of the building proposed in this location, any highway implications and the uses incorporated within the building. The applicants charitable status and how the project may be funded relating to its long-term feasibility is not a planning consideration in this case.

In principle, the site is located outside the defined development areas of Seavington St. Michael and St. Mary and is therefore within open countryside whereby new development is strictly controlled by Local Plan Policy ST3:

'Outside the defined development areas of towns, rural centres and villages, development will be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel'.

In addressing further the proposed use of the building as a village shop outside of the defined development area, Policy MS3 may be applicable in this case:

'Proposals for the provision of small scale shops will be permitted in settlements that are not defined development areas provided they are on a scale commensurate with the shopping needs of the settlement or immediate locality'.

However, further consultations with SSDC Planning Policy has revealed that Policy MS3 may not apply to isolated sites such as this. The aim and spirit of Policy MS3 is to apply to those settlements (i.e. small villages) which do not have a defined development areas such as Hambridge, Beercrocombe etc so as to ensure a village shop can exist when demand creates a need. The purpose of Seavington St. Michael and Seavington St. Mary having a defined development area is to focus new development in these areas and avoid new build developments occurring within the open countryside. A new retail outlet in open countryside is not considered sustainable.

Comments from SSDC Economic Development Services has confirmed there is a genuine need for a village shop to serve the two villages due to working alongside the formation of the Village Plan. However, to locate the shop in-between the two villages as per this application is not the best option when considering land use planning.

With regard to Policy ST3 and proposals which may benefit economic activity in the rural area, it has not been demonstrated by the applicant how this would benefit the local economy. It is proposed to be run on a charitable basis by volunteers so would not therefore create new employment opportunities in the immediate locality contrary to the aims of Policy ST3 whereby new development may be allowed if there is economic benefit to the area.

The applicant has mentioned alternative sites in the supporting information that are in the defined development area but have been dismissed for other reasons. These options have not been explored by virtue of separate planning applications.

In addition, the scale of the building is comparable to the scale of the adjacent village hall and would encroach unnecessarily into the open countryside contrary to Policy ST3 and the spirit of Policy MS3 should this apply. The proposal incorporates a café which unnecessarily adds to the bulk of the building. There is no policy in the Local Plan which permits a new build café in the open countryside. The applicant states that a café is required to provide refreshments and provide an extra meeting room for the village hall. It is considered that this requirement could be better dealt via a separate application for an extension to the village hall. Also, kitchen facilities are already in existence at the village hall.

Comments from County Highways indicate that the site is unsustainable and would increase use of the private car. In addition, comments from local residents substantiate this by their recent experiences of living close to the village hall site and the associated parking problems. The proposal is therefore considered to foster the need to travel to the site by private car contrary to Policy ST3. In addition, no additional parking has been allocated for the shop and café development and none is shown on the plans. It is considered conflict may well arise with potentially four different users of the car park, customers of the shop, customers of the café, users of the village hall and users of the recreation field. The applicant has given no details as to the potential hours of operation for the proposed shop and café, no detail as to when the café may be used as a meeting room and for which community groups.

The application is therefore recommended for refusal on the basis the proposed development would be outside of the defined development area, the scale of development is inappropriate due to the inclusion of a café and the fact that the proposal would be unsustainable in that it would encourage the use of the private car due to its isolated location. The proposal is therefore contrary to Policies STR1 and STR6 of the Somerset and Exmoor Joint Structure Plan and Local Plan Policies ST3, ST6 and MS3.

RECOMMENDATION

REFUSE

01. The site is located outside of the defined development areas of Seavington St. Michael and Seavington St. Mary whereby new development is strictly controlled. The proposal therefore represents the development of a new retail outlet and café in the open countryside whereby no economic benefit to the local area has been proven, would not demonstrably maintain or enhance the environment due to the scale of the building and also would foster growth in the need to travel by private car contrary to Government guidance in PPS7 and Policies ST3 and ST6 of the South Somerset Local Plan 2006.
 02. The proposed development would be located where it is remote from other services, employment, education, public transport etc and will therefore increase the need for journeys to be made by private vehicles which is non- sustainable and is in conflict with the advice given in PPG13 and Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST6 of South Somerset Local Plan 2006.
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