

Parish: HARTEST**Location: Pear Tree Farm, Brockley Road, Hartest, IP29 4EQ****Proposal: Erection of building for use as community shop****Applicant: Hartest Parish Council****Case Officer: Graham Chamberlain****Date for Determination: 17.03.2009**

This application is presented to Committee as it is a departure from the development plan and Officers are recommending approval.

BACKGROUND

At the Development Committee meeting in November 2009 Members approved an identical scheme to that now applied for subject to conditions. One condition was a pre commencement condition requiring details of the parking and maneuvering space to be submitted prior to the commencement of development.

Under the new regulations which came into force last year there is now a fee to discharge a pre commencement condition. Rather than pay this fee the applicants have utilized their entitlement to a 'free go' (in that there is no fee to pay when resubmitting a planning application) in order to have the need for this condition re examined and evaluated.

Although the proposal has not changed following the approval last November (other than confirmation being submitted regarding the parking and maneuvering space) a full assessment has been undertaken again and is set out below for completeness. The re-assessment has considered the need for pre commencement conditions given the additional information submitted. The application is reported to Committee for consistency and because it is a departure from the development plan.

THE SITE

1. The site is located to the north of Hartest within the Pear Tree farm complex. Pear Tree Farm is located approximately 1000m from the village centre of Hartest and 500m from the hamlet of Cross Green, which is located between Hartest and the site. The site is accessed off the B1066 (Brockley Road) which links Long Melford to Bury St Edmunds. The surrounding landscape is high quality comprising rolling farmland. Much of the area is designated as a Special Landscape Area; however the site is not located within this designation. The site is not covered by any specific planning constraints; it is however within the countryside.
2. Pear Tree Farm is a cluster of agricultural buildings. Some of the buildings have been converted to a retail use (sale of pet bedding and supplies, controlled by condition). To the immediate south of the farm complex is Pear Tree Farmhouse. There is also a scattering of other residential properties in the vicinity.

THE PROPOSAL

3. The proposal is for the erection of a community shop building. The applicant has indicated that the building would only be in situ for a temporary period of two years (to test its viability). However, Circular 11/95 states that it is normally not acceptable to condition a permanent building for a temporary period; therefore the application has

been assessed on the basis that the building will be permanent (even though the building has been designed so that it is capable of being relocated).

RELEVANT HISTORY

4. B/09/00959 - Erection of building for use as a community shop - Approved by Development Control Committee at the November 2009 meeting (decision dispatched on the 23/11/09)

NATIONAL GUIDANCE

5. **PPS1:** (Delivering Sustainable Development)
6. **PPS4:** (Planning for Sustainable Economic Development)
7. **PPS7:** (Sustainable Development in Rural Areas)

PLANNING POLICIES

8. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan 2008

- **ENV7** (Quality in the Built Environment)
- **SS1** (Achieving Sustainable Development)

Babergh Local Plan (Alteration No.2) 2006

- **CN01** (Maintaining Local Distinctiveness)
- **EM01** (General Employment)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

9. Hartest Parish Council – No comments at time of writing.
10. LHA – no objection - Subject to a condition relating to the retention of the parking and manoeuvring space shown on the submitted block plan.

REPRESENTATIONS

11. None received

PLANNING CONSIDERATIONS

Principle of Development

12. Section 38(6) of the Planning Act and guidance contained within PPS1 and the companion guide to PPS1 makes it clear that planning applications should be determined in accordance with the Development Plan (Local Plan and East of England Plan) unless other material considerations indicate otherwise.
13. In this instance the Development Plan indicates that new retail development in the countryside is not acceptable, as retail development is not listed in Policy CR01. This is

consistent with Planning Policy Statement 4 which directs new retail development towards town and village centres. While there are planning policy objections to the proposal, officers are of the opinion that in this instance there are material considerations which outweigh the policy presumption against retail development in the countryside.

Material Considerations

14. Planning Policy Statement 7 and PPS4 advise that the focus for new development should be in or near to local service centres. However PPS7 also indicates that people who live or work in rural areas should have reasonable access to a range of services and facilities. It also states that Local Authorities should support the provision of small-scale local facilities.
15. Officers are of the opinion that the proposal is an appropriate small-scale local facility provided near to the village, which will assist in community cohesion and reduce the need to make longer journeys.
16. In addition there are other material considerations which weigh against the provisions development plan in this instance and favour the proposal.

Need

17. The need for a facility can sometimes be a material consideration, especially if the need is a 'public' need and not solely a 'private' need. The Hartest Parish Plan has identified a need for a community shop to serve the village. The Parish Plan has not been adopted by Babergh District Council but is based on public consultation and should be given some weight. The Parish Council have set up a Community Shop Steering Group to take the project forward. An assessment of Hartest shows that it has no local shop within the village and that it is one of the more isolated villages within the district. An argument can therefore be put forward that the residents of Hartest, and the surrounding settlements such as Somerton and Stanstead, do not have reasonable access to the basic service of a daily grocery shop, which increases the need to travel longer distances to access this facility.
18. The scheme is not therefore speculative in nature and is based on evidence that the local community needs this facility (as they currently do not have a local shop).

Sustainability

19. The ideal location for such a facility would be within the village settlement boundary and the Community Shop Steering Group have considered several sites. The current site was identified following a sequential assessment as outlined in the table below.

Site	Location	Reason for Rejection
Village Hall	South Western corner of village green	Institute Committee wanted to retain the building as a public space – it is used every day and there would be a conflict
Village Hall Car Park	As above	Parking for events in the village hall is tight, and the space is also used by parents delivering children to school. Any loss of parking would cause logistical problems with more parking on the road outside the school.

School grounds	Just off village Green on B1066	School objected to traffic and danger to children leaving the site
Churchyard	Southern side of Village Green	Diocesan Advisory Committee was unable to support front of church and rear area has no access (sold with old Rectory
Pub	Southern side of Village Green next to Church	Greene King want no competition
Village Green outside pub	Southern side of Village Green	Sacrosanct open space – no buildings permitted
Bashams butchers –	Eastern Side of Village Green	Sold to developer and unaffordable
Clarke's former abattoir –	Eastern Side of Village Green	Let to joinery business
Old Tel Exchange –	Just off Village Green on Shimpling Road	Access issues raised by Highways because of proximity to bridge and site too small

20. The assessment is sufficiently robust to demonstrate that a number of sites have been considered and discounted first, before Pear Tree Farm site was identified.
21. In some ways the site is unsustainably located being 1000m metres from the village. This is not a comfortable walking distance (which is defined as between 0 and 400m). It is therefore likely that patrons of the shop will need to drive to the site. However, the presence of the shop close to the village will mean that patrons will not have to travel as far as they currently do to purchase what is on offer in the shop. The shop will stock staple items and locally sourced foods including locally sourced fruit and vegetables. These are everyday items. It is recommended that a condition is added controlling what stock is available in the shop to safeguard the 'everyday' function.
22. The scale of the proposed shop (40sqm) is such that it is unlikely that it will attract shoppers from a wide catchment area. Any further extension would require planning permission; therefore the Council will retain control over the scale.
23. Give the scale, proposed stock and proposed function (as a local community shop), the proposal is not considered by Officers to be an unsustainable form of development.
24. Sustainability is about more than just the environment and the location of development, it also relates to social and community issues and the economy - in this instance, the social benefits of the scheme are highly significant.

Community and Economic Benefits

25. The proposal will also have a number of community and economic benefits. The shop will act as a meeting place. It is proposed to have a small ancillary coffee area to enable people to meet and socialise whilst shopping. The shop will be run by the community and will rely on volunteers. The shop will facilitate community interaction.
26. It is intended to stock local produce at the shop. This may have some benefit for the local economy.

Highway Safety

27. The shop will share the existing informal parking forecourt used by the Pear Tree Farm pet supplies shop. The Local Highway Authority has no objection to the intensification of the use. In light of the additional information received, relating to parking and maneuvering space, the pre-commencement condition attached to the previous permission (B/09/959) is not required – a condition is now proposed requiring the development to be undertaken in accordance with the details submitted.

Impact on Street Scene and Character of the Area

28. The building would be single storey and located within a cluster of other buildings. It would not therefore appear isolated in the street scene. The scale of the building is subservient to the larger farm buildings within the site. The materials proposed are simple and 'rural' with timber walls and corrugated metal sheet roofing. The building will not appear incongruous. Its simple form and symmetrical front will give a pleasing outlook. The proposed fascia will not unduly dominant the appearance of the building.
29. The design of the building in terms of scale, form, materials and external elevations pay particular attention to the surrounding context. The proposal (in terms of design and scale) is therefore considered to be compliant with saved Policy CN01 of the Babergh District Local Plan.

REASONS FOR APPROVAL

30. Subject to the attached conditions, the proposed development is acceptable due to the material considerations which in this instance override the presumption against new retail development in the countryside (other than farm shops) within the development plan. The proposed design, scale and form adhere to Policy CN01 of the Babergh District Local Plan Alt 2 (2006).

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- Standard time limit
- Condition stock and restrict the use so that it is not open A1
- No external storage or display of goods
- As requested by the Local Highway Authority