

## **Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/13/01919/FULL</b>
<b>LOCATION</b>	<b>1A Station Road, Marston Moretaine, Bedford, MK43 0PH</b>
<b>PROPOSAL</b>	<b>Extend existing co-op supermarket into adjacent unit, form new back of house area at the rear, relocate existing entrance to store with a new automatic sliding entrance door, colour variations to the shopfront and new mechanical plant at the rear of the store.</b>
<b>PARISH</b>	<b>Marston Moretaine</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Bastable, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>James Clements</b>
<b>DATE REGISTERED</b>	<b>04 June 2013</b>
<b>EXPIRY DATE</b>	<b>30 July 2013</b>
<b>APPLICANT</b>	<b>The CO-operative Group</b>
<b>AGENT</b>	<b>Wellsfield Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Councillor Bastable called-in the application for the following reasons:</b> <ul style="list-style-type: none"><li>• Issues with inadequate parking facilities</li><li>• Refrigeration units - the units would be located outside to the rear of the property with the risk of noise and vibration to local residents</li><li>• A new bakery is proposed giving concerns about odours to neighbouring properties - consideration should have been given to an air filtration system</li></ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application recommended for approval</b>

### **Recommended reasons for Granting**

The proposed development would not have an adverse impact on the character and appearance of the surrounding area, nor on the residential amenities of the neighbouring properties. Accordingly the proposal is in conformity with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), the NPPF (2012) and the Central Bedfordshire Design Guide.

### **Site Location:**

The proposal site is located at units 1 and 1A Station Road, Marston Moretaine, which is a Co-op supermarket and shop currently occupied by A M Newsagent. The proposal site is two of three units at groundfloor all with A1 uses. The third unit is occupied by a hair dressers.

The application site is within the settlement envelope for Marston Moretaine. The site is in a prominent location within the settlement. The units are serviced via a car park to the side of the parade of shops with a service area to the rear of the building.

There are residential properties at first and second floors and to the rear of the service yard.

### **The Application:**

Planning permission is sought to extend existing Co-op supermarket into adjacent unit, form new back of house area at the rear, relocate existing entrance to store with a new automatic sliding entrance door, colour variations to the shopfront and new mechanical plant at the rear of the store.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (March 2012)**

- 8.Promoting Healthy Communities
- 7.Requiring good design

#### **Bedfordshire Structure Plan 2011**

None relevant

#### **Core Strategy and Development Management Policies - North 2009**

DM4 - Development within and beyond settlement envelopes

#### **Draft Development Strategy (2013)**

Policy 38: Within and Beyond Settlement Boundaries

#### **Supplementary Planning Guidance**

Design in central Bedfordshire - Design Supplement DS6: Shop Fronts and Signage

### **Planning History**

CB/11/03176	Instalment of new covered holding area to be situated at the rear of the Co-Operative Food Store. New goods entrance and guttering to new holding area. Existing air conditioning unit to be re-positioned to accommodate new goods loading area - approved
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### **Representations: (Parish & Neighbours)**

Parish/Town Council	Objection - The Co-op is located in the centre of the village and is easily accessible to residents. However, there is already an issue with inadequate parking facilities and this problem is intensified when large vehicles arrive to deliver supplies to the store. The result is that the car park becomes completely blocked to all movement of vehicles. The Committee feel very strongly that this problem will be compounded by any increase in size of the supermarket.
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As mentioned in the paragraph above, inadequate car parking is already an issue at this location. The committee believe that the above extension would escalate the situation further.

The refrigeration units are currently located within the Co-Op building itself. Under the above proposal the units would be located outside to the rear of the property. Residents living above and within the locality of the store are at risk of both noise and vibration from the refrigeration units. The Committee feels that the applicant should obtain an independent assessment to ascertain the likelihood and scale of the noise and vibration that may occur from these units which would provide evidence of the scale of disturbance neighbouring properties may be subjected to.

A new bakery is proposed within the extended supermarket. The committee feels that an air filtration system should have been considered in order to alleviate odours to neighbouring properties.

The proposed colour for the exterior of the building is neither in keeping or enhancing to the surrounding area.

No proposals have been put forward with regard to responsibility of litter control outside the premises. The Committee does not feel that the reliance on local authority litter bins sufficiently addresses the issue.

The extension to the co-op replaces a local newsagent. The newsagents employed paper boys/girls who delivered papers to those who found it difficult to access the shop ie disabled and older generation. The Committee expressed its concern at the loss of this facility.

Neighbours                      No objections received

### **Consultations/Publicity responses**

Highways                      No objection  
Public Protection              No objection subject to noise condition

### **Determining Issues**

The main considerations of the application are;

1.      Principle of development
2.      Highways and parking considerations
3.      Residential amenity
4.      Design and impact on the appearance of the locality

## Considerations

### Human Rights issues

No significant issues raised

### Equality Act 2010

No significant issues raised

#### 1. Principle of development

The proposal site is within the Settlement Envelope of Marston Moretaine which is designated as a Minor Service Area. Policy DM4 states:

#### **Policy DM4: Development Within and Beyond Settlement Envelopes**

Within Settlement Envelopes, the Council will support schemes for community, education, health, sports and recreation uses or mixed community and other uses where a need for such facilities is identified through the Infrastructure Audit or up to date evidence. Where no land is available within the settlement, a site adjacent to the settlement may be granted planning permission. Such development should make the best use of available land and lead to more sustainable communities.

*Within the Settlement Envelopes of both Major and Minor Service Centres, the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement, taking account of its role as a local service centre.'*

It should be noted that although the proposal states the application is to, 'extend existing co-op supermarket into the adjacent unit..' this does not actually require planning permission because both Units 1 & 1A have A1 uses. The use of the unit by the Co-op is therefore permitted development.

The application is therefore principally for the construction of a new covered service yard area and the siting of replacement aircon and condenser units, the relocation of the existing entrance to the Co-op supermarket with a new automatic sliding entrance door, new shopfront to unit 1A to include new fascia and roller shutter and colour changes to the existing Co-op shopfront (grey).

Development Management Policy DM3 states:

#### **Policy DM3: High Quality Development**

All proposals for new development, including extensions will:

- be appropriate in scale and design to their setting.
- contribute positively to creating a sense of place and respect local distinctiveness through design and use of materials.
- use land efficiently.
- use energy efficiently.
- respect the amenity of surrounding properties.
- enhance community safety.

- comply with the current guidance on noise, waste management, vibration, odour, water, light and airborne pollution.
- incorporate appropriate access and linkages, including provision for pedestrians, cyclists and public transport.
- provide adequate areas for parking and servicing.
- provide hard and soft landscaping appropriate in scale and design to the development and its setting.
- incorporate public art in line with the thresholds determined by the Planning Obligations Strategy.
- ensure that public buildings are accessible for all, and comply with current guidance on accessibility to other buildings
- respect and complement the context and setting of all historically sensitive sites particularly those that are designated.

## **2. Highways and parking considerations**

No changes are proposed to the existing means of access to the public highway and the level of off-street parking to the side and rear of the store remains unchanged. Although the floor-space to the food-store is being increased, the majority of it arises from the adjoining shop. Thus, notwithstanding the fact that the use of the unit by the Co-op is permitted development, it is unlikely that the new development will give rise to a material increase in traffic to and from the development site.

Similarly it would be difficult to verify that the proposed use of unit 1A would give rise to an increase in parking demand. In such circumstances therefore we do not consider that an objection on non-compliance with parking standards could be sustained from a highways aspect.

Concern has been raised that the existing servicing of the Co-op by lorries, achieved by reversing down part of Station Road into the car park and service area, would increase with the use of unit 1a by the Co-op which would cause further congestion and be harmful to highway safety.

The intention of the extension within the yard area is to provide a greater capacity for back-up storage. Therefore, if the turnover of the business remains the same, the frequency of deliveries will reduce. If however it increases, the applicant has stated that there is sufficient capacity within the delivery vehicles that there should be no increase in the frequency of vehicle movements. The same size of delivery vehicle (12m lorry) would be used by the Co-op.

## **3. Residential amenity**

The application includes the replacement of existing air conditioning units in the service area and the relocation of the existing internal bakery preparation area.

### Bakery operation

The Co-op supermarket has an existing bakery operation within unit 1. The method of extraction for the existing bakery area is a simple vent-axia fan (slightly larger than a domestic extract fan). This will be relocated to the new bakery position. The bakery operation consists of pre-cooked goods being delivered to site frozen. They are then placed in a steam oven and simply reheated. There is no full bakery operation at this site.

### External air conditioning and condenser units

The Parish Council has raised concern that the existing units are within the building and that their relocation outside would be harmful to adjacent residential properties. This is incorrect. The three existing air conditioning units and one condenser unit are sited on the rear wall of the supermarket within the service area.

Due to concerns raised about potential noise levels from the proposed plant, installation drawing no. 1942.02e Scheme J has been issued which removes the detailed plant installation but shows indicative locations for potential plant. This plan replaces the plan reference 1942.09a submitted with the planning application.

The Co-op have confirmed that they would accept a suitable Condition regarding acceptable noise levels for future plant to be installed (and other standard conditions the Council may wish to impose). A new detailed plant design may then be submitted as an application to Discharge the Condition.

Public protection have no objection to the proposals subject to a noise condition and have stated that the replacement units would be significantly quieter than the existing units which are a number of years old and do not conform to the Council's existing noise standards.

It should be noted that in 2011 planning application CB/11/03176 granted permission for the, 'Instalment of new covered holding area to be situated at the rear of the Co-Operative Food Store. New goods entrance and guttering to new holding area. Existing air conditioning unit to be re-positioned to accommodate new goods loading area'. This approval was not implemented.

Accordingly it is considered that there is no adverse harm to residential amenity.

#### **4. Design and impact upon the appearance of the locality**

The proposed external changes that would be visible from Station Road and Bedford Road include the relocation of the existing entrance to the CO-op supermarket with a new automatic sliding entrance door, new shopfront to unit 1A to include new fascia & roller shutter and colour changes to the existing shopfront at unit 1 (grey). These changes are relatively minor in nature, in keeping with the architecture of the building, and are considered to be in accordance with the Council's design guidance.

The service yard can also be partly viewed from public views and would include the construction of a new covered yard area with a timber framed flat-roof construction with felt finish & weldmesh side panels and the siting of replacement airconditioning and condenser units. The existing service area is open and visually cluttered. The proposed changes to the service area would be an enhancement to the appearance of this area.

### **Recommendation**

That Planning Permission be Approved subject to the following:

## RECOMMENDED CONDITIONS

- 1 The development shall begin not later than 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 Notwithstanding the details shown on drawing no. 1942.09e, no development shall commence until a scheme for protecting the existing residential dwellings from noise from fixed plant machinery and equipment has been submitted to and approved in writing by the local planning authority. Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable characteristics) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building. The use hereby permitted shall not be brought into use until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: In the interests of residential amenity.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1942.01a, 1942.09e & 1942.10.

Reason: For the avoidance of doubt.

## Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

## DECISION

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