

SCHEDULE A5 TO THE AGENDA FOR THE
CENTRAL PLANNING COMMITTEE
3 FEBRUARY 2010

A5 **WA/2009/1704**
Tesco Stores Ltd
20/11/2009

Installation of new shop front together with alterations at:- Former Red Lion, Portsmouth Road, Milford, GU8 5JH (as amended by letter dated 15/01/2010 and plans received 18/01/2010)

Grid Reference: E: 495071 N: 142288

Parish: Witley
Ward: Milford
Case Officer: Mr A Griffiths

8 Week Expiry Date 15/01/2010

Neighbour Notification Expiry Date 08/01/2010

Neighbour Notification
Amended/Additional Expiry Date

RECOMMENDATION That permission be **GRANTED**

The application has been brought before the Area Committee in view of the high level of public interest.

Location or Layout Plan



Site Description

The Red Lion Public House is located to the southeast of the Portsmouth Road, and is a two storey tile hung and rendered structure with pitched tiled roofs. The site extended some 90m to the south, with an historic wall splitting the site 22m to the rear of the Red Lion. Asides from an area of grass that was historically used as a beer garden, the remainder of the site is laid to 31 car park spaces. The area is primarily characterised by residential dwellings, although a collection of shops is located 100m to the southwest.

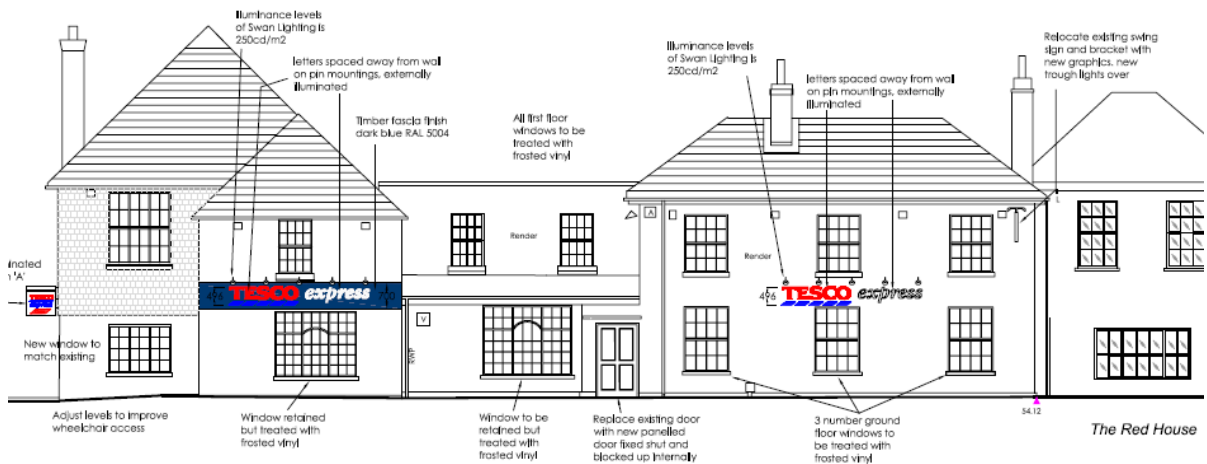
Proposal

- Planning permission is sought for: -
 - The erection of a pedestrian ramp, with stairs down to the rear, to the northeast elevation to serve the proposed ATM (WA/2009/1703). The ramp would be paved with iron railings
 - The insertion of a new shop front and in the side northeast elevation replacing the existing customer entrance. The shop front would be constructed of aluminium and would include double sliding doors with glazed side panels
 - The insertion of 4 security bollards in front of the proposed new shop front
 - The insertion of a new window in the front northwest elevation. The window would match existing windows found in the building
 - All windows at ground floor level in the front northwest elevation are to be treated with frosted vinyl
 - The insertion of a steel security door in the side northeast elevation to allow access into the storage area
 - The existing gate in the historic wall that bisects the site to the rear is to be made good, and a new gate to match existing is also proposed in an existing opening in the wall and would be fixed shut
 - An existing door in the front northwest elevation is to be replaced with a new panelled door and fixed shut
 - 13 illuminated (low level) bollards are proposed to the rear of the site adjacent to the historic wall that bisects the site. These lights are proposed so as to maintain safety for staff and customers
 - The erection of a fenced enclosure (2m in height) to the rear of the building to enclose the proposed plant (WA/2009/1707)

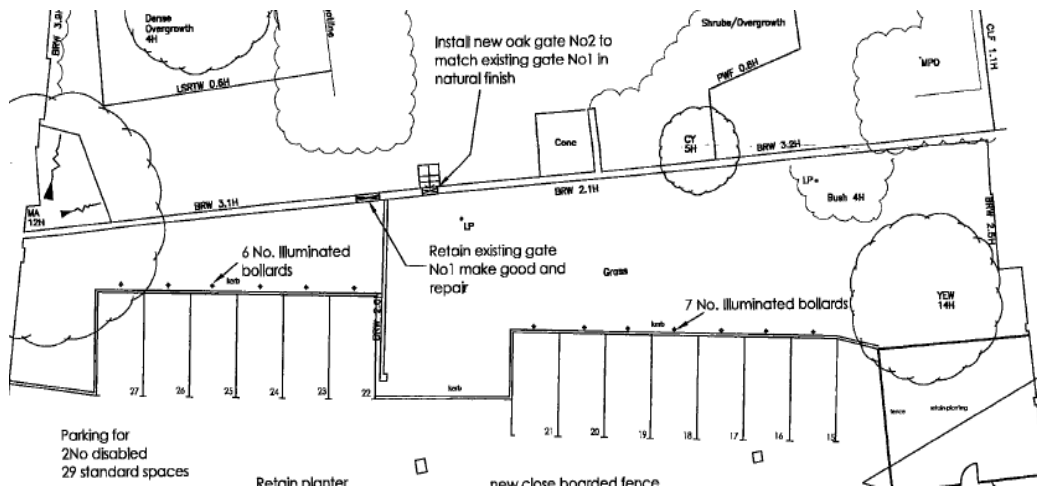
Side northeast elevation



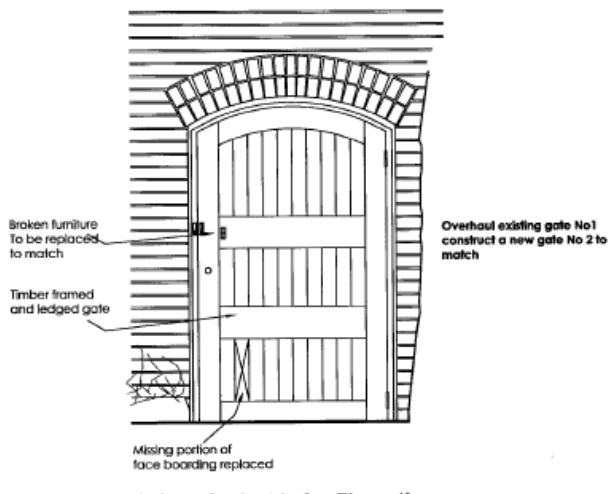
Front northwest elevation



Extract of site plan showing proposed illuminated bollards to the rear and existing gate repaired and replica inserted



Existing and proposed gate



Relevant Planning History

WA/2000/1752	Alterations to elevations, erection of a replacement fire escape staircase	Full Permission 06/12/2000
WA/2002/2509	Erection of an entrance porch and a replacement fire escape; alterations to provide additional staff accommodation	Full Permission 10/02/2003
WA/2009/1703	Installation of ATM unit	Pending Decision
WA/2009/1705	Listed Building Consent for repairs to existing gate on rear wall	Pending Decision
WA/2009/1706	Application for Consent to display illuminated and non illuminated signage on the building and in the car park	Pending Decision
WA/2009/1707	Installation of mechanical plant comprising, one condensing unit, three air conditioning units and roof mounted satellite dish	Pending Decision

Planning Policy Constraints

Wealden Heaths 2km SAC Buffer Zone
Wealden Heaths 5km SPA Buffer Zone
Conservation Area – Milford Witley
Green Belt
Rural settlement area - Milford

Development Plan Policies and Proposals

Policies D1, D4, D9 RD1, HE3 and HE8 of the Waverley Borough Local Plan 2002
Policies CC4, CC6, NRM5 and BE6 of the South East Plan 2009

Consultations and Parish Council Comments

Parish Council No objection

Highways No requirements/objection

Representations

18 letters of objection, 16 of which are from different address points, have been received based on the following: -

- The proposal would result in noise and disturbance to local residents as a result of deliveries to the site
- Development is unnecessary bearing in mind existing amenities in the area
- Store would create traffic congestion and pollution even further
- Adequacy of parking provision is in question
- Fundamental change to the street appearance and will clash badly with the mellow and well bedded in appearance of that whole run of buildings from the Refectory down to the top of Church Road
- Can anything be done to overcome the visual harshness of the glazed doors. Maybe the proposed new planting thereabouts of a mature indigenous tree will serve this purpose
- The installation of the new shop front together with alterations appears to involve a considerable reconstruction of a valuable building. To make such whole scale changes is unacceptable as it detracts from the value and appearance of a historic building in the community
- The proposed Tesco would ruin the village of Milford and kill the small village shops
- How will waste arising from running a supermarket be dealt with? Will Waverley Borough Council restrict delivery times as they sought to do in the officer's report into the proposed change of use of the Apollo Video store?
- Development is unnecessary and will serve to add to the traffic load by encouraging people to stop at all times of the day and night

- The long opening hours are likely to cause noise nuisance as well as traffic congestion within the village
- Noise and disturbance associated with the proposed plant machinery (WA/2009/1707)

Determining Issues

Visual Amenity

Listed Building & Conservation Area Considerations

Neighbouring Amenity

SPA Considerations

Representations

Conclusion

Planning Considerations

The site is located within the rural settlement of Milford. The principle of alterations to an existing building is acceptable subject to their impact upon the visual and residential amenities of the area.

Visual Amenity

The proposed shop front to the north-eastern side elevation would replace the existing entrance to the building. Whilst creating a larger opening than existing, the design and use of materials are considered to be acceptable in the context of the building (scale). The prominence of the shop front within the street scene is reduced by the common boundary wall with Milford House (2m high), and the existing screening to the frontage. Landscaping is also proposed to the frontage to help soften the new shop front and views of the currently open car parking area. This will be controlled via condition.

The illuminated bollards to the rear of the site, due to their location, size and level of illumination are not considered to cause material harm to the visual amenities of the area.

The frosting to the ground floor glazing in the front northwest elevation would not harmfully alter the appearance of the building. The existing windows in this elevation would be retained.

The ramp proposed to the side northeast elevation would face onto the site and is of an acceptable scale so as not to detract from the appearance of the northeast elevation or the setting of the building as a whole.

The remainder of the alterations detailed above are considered acceptable in the context of the building, and as such, the proposal is not considered to cause material harm to the visual amenities of the area, or the scale, character or form of the building.

Listed Building & Conservation Area Considerations

The Council's Historic Buildings Officer has been consulted as part of the application both in regards to the site being within the Milford/Witley Conservation Area, but also being neighboured on both sides by Grade II Listed Buildings.

The Historic Buildings Officer raises no objection to the proposal. The proposal is not considered to cause demonstrable harm to the architectural integrity or setting of the adjacent Grade II Listed Buildings. The proposal is considered to preserve the character of the Conservation Area.

Neighbouring Amenity

The nearest residential property (Milford House) is separated from the Red Lion by a 2m (approximately) fence and vegetative screening. As such, it is considered that there would not be a material effect caused upon neighbouring amenity.

SPA Considerations

The site is within the Wealden Heaths 5km SPA Buffer Zone and Wealden Heaths 2km SAC Buffer Zone. As the proposal is for external alterations to the building along with the insertion of a new shop front it will not involve an increase in the number of people and therefore is unlikely to have a significant effect upon the integrity of the SAC or SPA.

Representations

The proposal would result in noise and disturbance to local residents as a result of deliveries to the site

- The lawfulness of the change of use from A4 to A1 is being addressed under WA/2009/1529. The applicant is of the view that the change of use is permitted by the Use Classes (Amendment) Order 2005. Consideration in regards to the use, and associated deliveries to the site, are not material in the determination of the current application which is for alterations.

Development is unnecessary bearing in mind existing amenities in the area

- The planning system does not exist to prevent competition between different business but rather to support development in approved locations in accordance with the development plan.

Store would create traffic congestion and pollution even further

- The County Highway Authority has been consulted as part of the application and has raised no objection to the proposal from a highway safety perspective. Traffic movements are related to the actual use of the building, and as such, are not material in the determination of the current application.

Can anything be done to overcome the visual harshness of the glazed doors. Maybe the proposed new planting thereabouts of “a mature indigenous tree will serve this purpose”

- As shown on the proposed site plan (drg.no 1735/03M) additional planting, along with an indigenous tree is proposed to the frontage of the site. These details would be conditioned should permission be granted.

The installation of the new shop front together with alterations appears to involve a considerable reconstruction of a valuable building. To make such whole scale (wholesale?) changes is unacceptable as it detracts from the value and appearance of a historic building in the community

- The building is not listed, and whilst a number of alterations are proposed to the building, these are considered to be sympathetic both in regards to their scale, design and form so as not to cause demonstrable harm to the character of the building. It is also noted that the Council’s Historic Buildings Officer has been consulted as part of the application and supports it.

Noise and disturbance associated with the plant machinery

- This will be dealt with under application WA/2009/1707.

Conclusion

Many of the concerns raised in the letters of representation are not material in the determination of the current application as they relate to the principle of the use, and not the alterations detailed in the proposal section of the report.

The proposal is not considered to cause demonstrable harm to the setting of the adjacent Listed Buildings, and is considered to preserve the character of the Conservation Area. The proposal would not cause material harm to the amenities of the area. The proposal is therefore recommended for approval.

RECOMMENDATION: That permission be ***GRANTED*** subject to the following conditions.

1. Condition

The brickwork to be used in the construction of the ramp and ramp entrance hereby permitted shall match those in the existing building(s).

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition

Prior to the commencement of development on site a landscaping scheme in regards to the additional planting to the frontage of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

In the interests of the amenities of the area, in accordance with Policies D1 and D4 of the Waverly Borough Local Plan 2002.

3. Condition

The plan numbers to which the decision relates are 1735/02K, 1735/03M, 1735/04M, 1735/05, 1735/07 and location plan at 1:1250. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The development hereby granted has been assessed against the Development Plan policies: Policies D1, D4, D9, HE3 and HE8 of the Waverley Borough Local Plan 2002, Policies CC4, CC6, B6 and NRM5 of the South East Plan 2009 and material considerations including third party representations. It has been concluded that the development would comply with the development plan and would not result in material harm that would justify refusal in the public interest.