

New Blockley Community Shop & Café

**Planning Application & Conservation Area Consent
Application submitted by Blockley Cooperative Association Ltd (BCA).
Youell garage site, Bell Lane, Blockley, Gloucestershire.**

**Examination of Alternative Sites
May 2011**

**Blockley Village Co – operative
Blockley
Gloucestershire**

Introduction

1. At a meeting held on 22nd June 2010 to discuss a site for the new Blockley Community Shop & Café and at which Iain Smith Conservation Officer CDC, Martin Perks Development Officer CDC, Alan Thornton of the Blockley Shop Committee, Geoff Thompson Architect of Leslie Burton Limited, and Nigel Moor Planning Advisor were present, it was emphasised by the CDC officers that, because of their objections to the proposed location for the new Blockley Community Shop & Café, the Shop Committee would need to demonstrate that it had looked at all possible alternative sites, if it were to put forward the site adjacent to the existing shop as the preferred site.

Existence of Alternative Sites

2. The operation of the planning control system relies heavily on the local planning authority responding to development proposals made by individual landowners or developers for individual sites. Hence, as a matter of principle it would seem that the question of alternative sites ought not to be a material consideration in determining whether planning permission should be given for the development of the land the subject of the application. The Courts however have held that the evaluation of alternative sites can be a material consideration when determining a planning application, and the law on the subject was summarised by Simon Brown LJ in Trusthouse Forte Hotels Ltd v Secretary of State for the Environment (1986) 53 P & CR 293, and subsequently endorsed in the Court of Appeal. It was held that where there are clear planning objections to development upon a particular site, then it may well be relevant and indeed necessary to consider whether there is a more appropriate site elsewhere. Whilst it is not accepted that this proposal would have “significant adverse effects” and would represent an enhancement of this sensitive location, this report seeks to address the tests outlined by Simon Brown LJ.
3. The examination of alternative sites clearly has to consider an area in which these sites are located. Pill LJ in the Court of Appeal in Kyte v Secretary of State for the Environment (14 March 1997, ref QB COF 96/1633/ D) opined: “When considering possible alternative sites, there can

be no universally applicable rule as to the area to be considered or the range of detail of inquiry required... Potentially the exercise upon alternative sites is an exercise without limits.” Traditionally shops in Blockley have clustered in the Village Square and along the High Street as far as Pilgrim Cottage, beyond the Crown Hotel, and in Bell Lane. However since the early 1980s, shops have closed and the remaining retail premise and post office were in Bell Lane. Nonetheless we have examined a range of sites not only in Bell Lane but also elsewhere so that the exercise upon alternative sites is as exhaustive as possible.

4. The sites examined were:
 - 1) A new lease on the Old Coach House which currently accommodates the existing shop and café;
 - 2) Revert to the Old Post Office;
 - 3) Youell garage site (behind and alongside it) ;
 - 4) Haberdashers, Bell Lane;
 - 5) The Great Western (lower site);
 - 6) Land adj Churchill Close;
 - 7) Coneygree Mill;
 - 8) Land in front of Bowling Green;
 - 9) St. George’s Hall site: New Build;

5. These sites are identified on the plan enclosed at Appendix 1 and, with the exception of the St. George’s Hall site, all are located within the boundary of the Blockley Conservation Area. All the sites are located in the Blockley Ward of the Cotswold District Council administrative area. Each site has been assessed against three criteria: a) conservation and planning aspects,
 - b) operational and commercial aspects, and
 - c) property aspects.The Appendices are as follows :

Appendix 1 : Location of Alternative Sites

Appendix 2 : Correspondence with the owner of the Coach House 20th September 2010 & 12th October 2010.

Appendix 3 : Expenditure Figures Chart.

Appendix 4 : Letter relating to Haberdshers 23rd September 2010.

Appendix 5 : Letter relating to Northwick Bowling Club 12th August 2010.

Appendix 6 : Letter 17th December 2010 from Head Teacher.

1). A new lease on the Old Coach House

The current lease expires in August 2013. The freehold owner has indicated that any extension to this lease would be for a maximum of ten years, and with a break clause after 5 years, meaning that in effect the lease, if renewed, could terminate in 2018. It was evident during the negotiation for the original conversion work to the building that CDC officers would resist further internal alterations and/ or extensions of the building. Therefore, given the relatively short leasehold that may be available, the amount of capital required for further alterations and improvements to the building, and uncertainty about obtaining planning permission and listed building consent for these alterations and improvements, continued occupation of the Old Coach House beyond 2013 is not regarded as a preferred option. Correspondence with the owner dated 20th September 2010 and 12th October 2010 is attached at Appendix 2. Some parts of the owner's response have been blocked out for reasons of confidentiality. The owner has also indicated that she would not be happy about any further internal alterations to the building.

2). Revert to the Old Post Office

Following the closure of the Old Post Office, planning permission was granted by CDC for conversion of the ground floor into two business units and residential flats above. The building is now occupied and not currently on the market. Even if it were to become available, the premises now have a smaller retail ground floor area than the Old Coach House, and this would be an obstacle to the operational improvements that the BCA is seeking. Reversion to the Old Post Office is not a feasible option.

3). Youell garage site (behind and alongside it)

Examination of this site has been made possible by the sympathetic approach of the owners, who support the concept of a new shop and café on

the site, and have offered the sale of their land on favourable terms to BCA. Together with the land presently occupied by the toilet block owned by CDC, this site would enable BCA to build “fit for purpose” premises and achieve the operational requirements needed. Following meetings and correspondence with CDC, it has been made clear to BCA that officers are opposed to this site because they believe it is one of the most sensitive locations in the village in both aesthetic and heritage terms. BCA has responded to this by commissioning a Heritage Assessment in accordance with PPS5, a detailed Design and Access Statement as well as an arboricultural and other surveys. The Blockley Conservation Area Statement (April 1998) published by CDC describes how the pattern of shopping in the village has shrunk and concentrated in the village square. In describing the character of the village, the authors conclude:

“The high density of buildings, particularly in the centre of the village around The Square, may also contribute to this urban effect, making you feel that you are in a much larger Cotswold town.”

Experience so far of the operation of the Community Shop & Café has convincingly demonstrated that location in the centre of the village is crucial to the success of the business. The expenditure figures included at Appendix 3 show that for the shop 45% of spend is from the High Street and visitors, and for the café the equivalent figure is 64%. These figures demonstrate that no other location outside the centre of the village could achieve this expenditure. The visitor expenditure is particularly important, and regular observation, particularly at the weekends, shows that it is to the centre of the village that visitors gravitate. The conservation and planning issues of this location are recognised and BCA is mindful of them, but the Business Case demonstrates that this is the preferred option.

4) Haberdashers, Bell Lane

This site adjoins the dwelling Haberdashers, Bell Lane, and was originally the village garage. A large pre-fabricated garage still exists on the site, and planning permission has been granted and lawfully commenced for 4 dwellings on the site. A letter from the site owner is attached at Appendix 4, and indicates a number of difficult problems that could occur if the shop premises were built on the site. This site is therefore ruled out for a number of reasons.

5) The Great Western (lower area)

The Great Western Public House is located on Station Road and at the rear of the building is an area of land, at a much lower level, overlooking Blockley Brook, presently used for car parking. No commercial negotiations have been conducted with the landlord, and it is not certain that the land would be available. Its inclusion in this examination is to demonstrate that all possible sites have been examined. Because of the change of levels, access to the area would be difficult for both delivery vehicles and older people. The site would have “low visibility” both in physical terms and expenditure. The figures included at Appendix 3 indicate that for both the shop and café less than 20% of expenditure comes from the Station Road area. The site has therefore been excluded.

6) Land adjoining Churchill Close

This land to the west of the Bowls Green is open space dedicated to the village, and there would be legal obstructions impeding any proposed development of this site.

7) Coneygree Mill

The Mill and its site are located to the west of Buchan House and approached by a narrow gated track from Bell Lane. The building has been used since the Second World War as a water pumping station associated with local springs, and is now administered by Thames Water. The building is not listed but is within the Conservation Area, and clearly has heritage value. The mill pond has been drained and is now overgrown, but it is surrounded by an attractive area of minimally managed woodland and shrubbery of at least one acre, which is a natural habitat for wildlife worthy of conservation. Thames Water has not been approached, although it is noted that the company is advertising redundant properties for sale, for there do appear to be strong conservation grounds against commercial development of this building and the site, which is still used as a pumping station. Furthermore, the site has very poor visibility to the centre of the village, and access for delivery lorries and shoppers would be very difficult.

8) Land in front of Bowling Green

The Northwick Bowling Club is located to the north east of the Village Square adjoining the recreation ground and comprises a bowling green and a pavilion which is set back at the eastern end of the green. During the initial site visit with CDC officers it was suggested that the construction of the new shop and café

might be accommodated as part of the bowling green site with some adjustment of the green and the pavilion. The Northwick Bowling Club has been approached, and the reply of the Chairman dated 12th August 2010 is enclosed at Appendix 5. The site has therefore been excluded.

9) St George's Hall site (New Build)

This site adjoining the Hall, which is located just outside the Conservation Area, off Park Road, had the benefit of planning permission for a new building to be occupied by the Blockley Heritage Society. Instead the Society has agreed a lease of the Jubilee Centre from Blockley Parish Council, and the refurbished building now known as the Jubilee Hall will be the main centre for the Heritage Society and its collection. In view of the change of circumstances, CDC officers suggested that this alternative site be explored. There are a number of difficulties associated with this. The land adjoining St. George's Hall and the Jubilee Hall is used for car parking both for activities taking place at these buildings and in conjunction with Blockley Primary School to the south of the site, for use by staff, visitors and parents bringing children to the school. There are 30 staff and by letter dated 17th December 2010 (Appendix 6) an indication is given of current car parking difficulties. Blockley Parish Council is in negotiations with Gloucestershire County Council to permit exclusive use by the School of a significant number of car parking spaces as part of a long lease.

The loss of land to construct a new shop and café would result in reduced car parking available for St. George's Hall and the Jubilee Hall, and generally exacerbate parking difficulties already experienced at the site. Blockley Parish Council is concerned about the safety and security issues that could arise from any more cars and lorries visiting the site, for the welfare of the children attending the primary school. In addition there would most likely be legal difficulties, as by virtue of the terms of a conveyance made on 19th May 1943 by the then owner Edward George Spencer Churchill of Northwick Park Blockley, the land and building known as St. George's Hall was restricted to social and recreational purposes and did not include shopping activity. In addition BCA believes that this site would be peripheral to the main area of demand in the village. The figures included at Appendix 3 show that only 13% spend for the shop and 14% spend for the café comes from Park Road, and in addition the location would not be attractive to visitors, involving a detour uphill from the centre of the village.

The Blockley Parish Council discussed the proposal of a possible new site on the land previously earmarked for the Heritage Society at their meeting held on the 21st October 2010 and found it unsuitable for several reasons including : the site was given to the village for educational and recreational purposes and not commercial premises, its proximity to the primary school which uses St George's Hall daily, the safety issues posed by having children walking backwards and forwards; the known objections from the Headmistress for such a development.

For these reasons this site is therefore ruled out.

6. Conclusions

A range of eight sites has been examined, and for a variety of reasons seven of these have been rejected. In addition to the conservation issues, the preferred site also involves the purchase of the toilet block from CDC. Plans for the new café and shop show that alternative public toilets will be made available in the new premises. Although terms have yet to be agreed, demolition of the toilet block and its replacement by modern toilets, including disabled access, will not only benefit Blockley residents and visitors, but also show reduced maintenance costs for CDC. At the time of submitting the planning and conservation area applications, negotiations are ongoing with CDC, but the planning laws allow applications to be made in these circumstances, subject to the appropriate statutory notice being served on CDC. Final terms can be agreed with CDC once planning permission and conservation area consent have been obtained.