

Planning Statement for the Erection of a Coffee Pod and Canopy at The Courtyard, Church Square, Melbourne Hall, Melbourne, DE73 8EN

1. Overview

- 1.1. This planning application is submitted by Everything is Somewhere Ltd on behalf of the applicant The Melbourne Estate.
- 1.2. The location of the site is shown edged red on Plan Ref No 15946/MH/Coffee/Loc and on the Application Plan Ref No 15947/MH/Coffee/App.
- 1.3. This application seeks planning permission to site a cabin used for the sale of drinks and snacks referred to as the “Coffee Pod” together with the erection of a timber frame canopy.
- 1.4. Pre Application advice has been sought from the LPA and was received on 4th June 2021 Ref No DMPP/2021/0493.
- 1.5. This application includes a Design and Access Statement and Heritage Statement prepared by Goodrich Cutler.

2. Site Description

- 2.1. The Application site is within a walled courtyard which forms part of a group of buildings used for retail outlets as well as a café.
- 2.2. The Application Site was formerly used for a range of associated uses with the management of the wider Estate and most recently was used for general storage as part of a building maintenance workshop. There was limited public access to this area.
- 2.3. The Courtyard is bounded by a wall along the western and northern side which is approximately 2.2m high and on the eastern side by existing buildings. The southern side is open to the entrance off Church Square. The surface of the yard is stoned. Within the Courtyard there is also a sub station.
- 2.4. The buildings adjacent to the Application Site is a Listed Grade 1 “outbuilding” and is discussed in greater detail below. Within the Courtyard there is a mature hardwood tree subject to a TPO which is also discussed further below.
- 2.5. Access to the Application site is via the entrance off Church Square and predominately used by pedestrians. There is only limited access for deliveries.
- 2.6. A topographical survey has been undertaken of the general area including the Application Site. The relevant extract from that survey is shown on Plan Ref No 15948/MH/Topo.
- 2.7. Images of the site are shown below.

Planning Statement for the Erection of a Coffee Pod and Canopy at The Courtyard, Church Square, Melbourne Hall, Melbourne, DE73 8EN



Planning Statement for the Erection of a Coffee Pod and Canopy at The Courtyard, Church Square, Melbourne Hall, Melbourne, DE73 8EN

3. Pre Application Advice

3.1. Pre Application Advice Ref No DMPP/2021/0493 was received on June 4th 2021. The Pre Application Submission related to various proposed developments within the Melbourne Estate and the relevant extracts from the Pre Application Advice are quoted below.

3.2. The relevant extracts from the advice were;

Coffee Pod and Wooden Canopy

In regards to the principle of development the proposed and coffee pod, both previously fell under the A4 Use Class, however this has now been revoked and would be considered a sui generis use class. When assessing the proposal against policies of the local plan, it is considered that Policy RTL1 – Retail Hierarchy would still be appropriate. The policy supports development within Use Classes A1, A2, A3, A4 and A5 within local centres within key service villages. Given that the proposed use was previously considered an A4 use class and given the sites close proximity to the village centre and other surrounding uses that fall within A1-A5 I am happy that the proposal could be supported in principle. With the site being within the Melbourne's Conservation Area and being a Grade I Listed Building, the comments provided by our Conservation Officer will be very important to determine the impact on heritage assets. Based on his comments at the bottom of the email, subject to some design changes the proposal can be supported. We will consult with Environmental Health in regards to noise, air pollution that may arise from the proposed development, given that the site is screened by a large wall I would not expect there to be any concerns subject to conditions to control opening hours and music levels etc. Some of the proposed works would appear to fall within the root protection area of a large mature tree protected by TPO 30, I would expect any application to be supported by an arboricultural method statement which details how damage to the roots will be avoided and what protection measures will be carried out and also a tree survey which shows the root protection area of the trees and how these are impacted by the development.

The Council's Conservation Officer has advised as follows:

I have looked at this pre-app submission. There have been ongoing pre-app discussions surrounding the two yard areas and the buildings around them for some time which has produced a gradually evolving scheme.

The coffee pod and canopy is in an area outside of the yards but separated from Church Square behind a tall stone boundary wall. The area has previously been used as a working compound for contractors as part of previous works and maintenance operations, including the siting of a shipping container. This part of the site had been fenced off as part of facilitating that use as a temporary working compound. That use was only temporary using the provision for compounds during works, but even if opened up that area is effectively a dead-end so something which makes active use of the space and draws people in would be positive in helping visitors have a more holistic experience of the site.

The space between the wall and the buildings to its east could accommodate some use and I am reasonably comfortable about the general principal, detail of design will be key as will trying to keep some relief between the canopy structure and the buildings to the east. The proposed layout, with the canopy hard up against the outbuilding range appears to fail to have regard to what is said in

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the design and access statement “Careful consideration in particular has been given to the canopy in light of its proximity to the building.”. There is simply no need for the canopy to be so tight up against the neighbouring structures. In addition the structure cuts across window openings rather than being slightly taller to match eaves height, which given proximity would be desirable. A longer narrower structure would cover similar space whilst maintaining better separation from the existing buildings.

4. Proposed Development

- 4.1. The Coffee Pod is a free standing timber built structure measuring 2.1m by 1.79m with a ridge height of 3.m with a side door and serving window to the front elevation. The pod is finished in vertical tongue and groove cladding stained dark navy with a slate tile roof and cast iron style rainwater goods. The Coffee Pod sits on the surface with no foundations.
- 4.2. The Canopy would be constructed from nine large section planed timber posts with additional primary beams of the same proportions. Secondary rafters support a retractable canopy to provide shelter from the weather.
- 4.3. A Design and Access Statement has been prepared by Goodrich Cutler.

5. Heritage

- 5.1. A Heritage Statement has been prepared by Goodrich Cutler and takes into account the comments raised by the Conservation Officer in the Pre Application Advice.
- 5.2. The Heritage Statement provides the relevant details of the adjoining Grade 1 Listed Building described as an “aisled C15 barn with walls rebuilt in brick”.
- 5.3. The location of the proposed Canopy in the Pre Application Submission was shown close to the barn and following the advice of the Conservation Officer the now proposed location of the canopy has been moved so that there is a gap between the canopy and the barn. This gap will serve as a pedestrian walkway.
- 5.4. The report highlights that the area subject to the proposed development will now be open to public view whereas historically there were limited views or access. The impact of the proposed development is considered to be low.

6. Tree Protection

- 6.1. Within the Application Site there is a mature tree which is subject to TPO 30 (approx. 9m from the canopy) and two other trees to the south site of the site (closest one approx. 2.5m from the canopy).
- 6.2. The canopy is constructed using 9 timber posts. Each post will be set into a hand dug hole which is expected to be 600mm x 600mm to a depth of 1000mm to minimise ground disturbance. The Coffee Pod does not have any foundations. From previous maintenance works within the area relating to

Planning Statement for the Erection of a Coffee Pod and Canopy at The Courtyard, Church Square, Melbourne Hall, Melbourne, DE73 8EN

underground services it is understood that there are no major roots within the footprint of the proposed canopy.

7. Planning Policy

South Derbyshire Local Plan

7.1. The South Derbyshire Local Plan Part 1 was adopted on June 13th 2016 and Part 2 was adopted on November 2nd 2017.

Local Plan Part 1

7.2. In Part 1 para 3.3 “A Vision for South Derbyshire” it states ;

“The vision for South Derbyshire is one of sustainable growth, renewal and opportunity. By 2028, the economy will have grown with more jobs in a more diverse business environment supported by a more skilled workforce. Local communities will be healthy and inclusive and will have access to a range of jobs, housing, education, health, shops, services, facilities and green space by a choice of travel options including public transport and other non-car modes.”

In addition reference is made to Melbourne;

“The vitality and viability of Melbourne town centre will also have been sustained through a combination of careful control over land uses in the core shopping area and more widely through enhanced leisure and cultural facilities.”

7.2.1. The proposed development compliments the facilities and retail outlets at the adjoining Courtyard which has been established for many years. The outlets whilst no forming part of the application provide a range of small and bespoke outlets which enhance the overall attractiveness of Melbourne but are of a scale that do not detract from the town centre.

Local Plan Part 2

7.3. In Policy SDT1 Melbourne is defined as a “Local Service Village”.

7.4. Policy BNE10 Heritage sets out the criteria by which planning applications that affects heritage assets will be considered. The Policy requires that a Heritage Assessment is required with the level of detail and information provided proportionate to the proposed development.

7.4.1. A Heritage Statement is included with this application and in addition advice for the Councils Conservation Officer as set out in the Pre Application Advice has been taken into account.

7.4.2. This application allows the general public greater access to the area immediately adjoining the Listed building and improves the overall setting.

7.5. Policy RTL1 Retail Hierarchy is key to this application. The Pre Application states that the proposed development “could be supported in principle”.

Planning Statement for the Erection of a Coffee Pod and Canopy at The Courtyard, Church Square, Melbourne Hall, Melbourne, DE73 8EN

7.6. In Policy RTL1 Melbourne is defined as “Other Centres in Key or Local Service Villages”. In para D it states;

Other Centres in Key and Local Service Villages

Development within Use Class A1, A2, A3, A4 and A5 will be permitted provided that:

- i) It is appropriate with the scale and function of the Centre; and
- ii) It would not lead to unsustainable trip generation or undermine the vitality and viability of a neighbouring centre; and
- iii) It does not adversely impact on neighbouring properties

7.6.1. The proposed development falls within the defined Use Classes and is of a scale appropriate to the Application Site and adjoining facilities. The Applicant considers that the development doesn't detract from the Village Centre but further improves the overall attractiveness of Melbourne whilst not adversely impacting neighbouring properties.

Melbourne Parish Neighbourhood Plan Draft

7.7. The Melbourne Parish Neighbourhood Plan Draft was published in March 2021. Whilst not adopted reference has been made to the Draft. In the introduction it states in para 1.1 “This is a plan which promotes the development of our Parish and the preservation and development of our vibrant community in line with the strategic policies of the South Derbyshire District Council Local Plan”.

7.8. Section 4 sets out the vision for Melbourne and Kings Newton. Relevant extracts include;

- We want facilities to encourage sports, physical fitness, entertainment and clubs and societies, and to promote village life.
- Supporting development within the Parish that meets the agreed criteria and standards, and is designed in accordance with guidelines, reflecting the town's distinctive character.
- Supporting the local economy to maintain a thriving town centre, building on strengths including our heritage and community.

7.9. Section 9 discusses Heritage and Conservation Policies noting “the combination of Heritage Assets, Listed Buildings, Scheduled Monuments and Conservation Areas”. Key Issues include the importance of maintaining the distinctiveness and character of Melbourne and the risk of adverse effects on historical and cultural assets and these are embodied in Policy HC1 and specifically refers to the number of Grade 1 Listed buildings in the Grounds of Melbourne Hall.

7.10. The Applicant considers that the proposed development accords with the Draft Neighbourhood Plan.

8. Access

8.1. The Application Site is accessed off Church Square and with the exception of deliveries is predominantly pedestrian traffic.

Planning Statement for the Erection of a Coffee Pod and Canopy at The Courtyard, Church Square, Melbourne Hall, Melbourne, DE73 8EN

8.2. There is no car or vehicle parking associated with the application. At present visitors to the Courtyard facilities park in Church Square or make use of on street parking nearby.

9. Conclusion

9.1. This application seeks planning permission to erect a “Coffee Pod” and “Canopy” to enhance the facilities at the Courtyard and return an area of land formerly used for a range of ancillary purposes which previously had limited public access.

9.2. Pre Application Advice was sought and the recommendations of that advice have been fully addressed in this application.

9.3. The proposed development accords with Local Plan Policy RTL1.

9.4. The proposed development enhances the facilities already available at the Courtyard and furthermore enhances the overall appeal of Melbourne.