

# ITEM 6(a)

**Application Number:** 20/00551/FUL

**Description** Erection of new Temple and Community Hall (Use Class D1) and associated works including access, parking and landscaping.

**At Land to the East of St Agnes Way, Tattenhoe, Milton Keynes**

**For** Mr R Kammela

**Statutory Target:** 27 April 2020

**Extension of Time:** Yes – 30 June 2020

**Ward:** Tattenhoe

**Parish:** Shenley Brook End &  
Tattenhoe

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## 1.0 RECOMMENDATION

1.1 It is recommended that permission is granted subject to conditions set out in this report.

## 2.0 INTRODUCTION

### The Site

2.1 The application site currently a small parcel of undeveloped grassland (0.3 hectares in area), situated within the locality of Tattenhoe on the junction of St Agnes Way to the west and Holborn Crescent to the south. The site benefits from semi-mature landscaping towards the north of the site on the boundary with the Tattenhoe Sports Pavilion and to the south east of the site also lies a small number of trees. With regards to the levels and topography of the site there is noted to be a gentle slope from north to south.

2.2 The site is located within a predominantly residential area. Immediately to the west of the site on the adjacent parcel of land there is a designation within Plan:MK for twelve dwellings. In addition, as previously indicated immediately to the north of the

site lies the Tattenhoe Sports Pavilion and, to the south west lies Giles Brook Primary School. The site benefits from a number of redway connections to the east, south and west, with links into Tattenhoe Valley Park. The V1 Snelshall East also lies 300m to the west of the application site. There are also two bus stops immediately to the south of the application site within Holborn Crescent.

- 2.3 The site has no formal land designation, although the site is located within a biodiversity opportunity area and archaeological notification area.

### The Proposal

- 2.4 The application proposes the erection of a new place of worship which encompasses a community hall and ancillary facilities including kitchen, WC's, dining hall, reception and office areas and a residential apartment (Use Class C3) for use as on-site living quarters for the priest, alongside associated works including access, parking and landscaping.

### Reason for referral to committee

- 2.5 The application has been referred to Development Control Committee due to the number of representations received, in addition to the requests received from Cllr Anthony Brown, Cllr James Lancaster and Shenley Brook End and Tattenhoe Parish Council due to the principle of development, design and layout of the site and the impact on parking and the local highway network.

### Scope of debate/decision

- 2.6 This application proposal is a full planning application and so all matters are to be considered.

## **3.0 RELEVANT POLICIES**

### **National Policy**

- 3.1 National Planning Policy Framework (February 2019) (NPPF)

Section 2 - Achieving sustainable development  
Section 8 - Promoting healthy and safe communities  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places

In addition, the Planning Practice Guidance is also a material consideration

### **The Development Plan**

- 3.2 Neighbourhood Plan

The application site is not located within an area with a designated neighbourhood plan.

### 3.3 Plan:MK (March 2019)

Policy DS3 - Employment Development Strategy  
Policy DS4 - Retail and Leisure Development Strategy  
Policy ER17 – Tourism, Visitor and Cultural Destinations  
Policy CT1 - Sustainable Transport Network  
Policy CT2 - Movement and Access  
Policy CT3 - Walking and Cycling  
Policy CT5 - Public Transport  
Policy CT6 - Low Emission Vehicles  
Policy CT10 - Parking Provision  
Policy FR1 - Managing Flood Risk  
Policy FR2 - Sustainable Drainage Systems (SUDS) and Integrated Flood Risk Assessment  
Policy NE1 - Protection of Sites  
Policy NE2 - Protected Species and Priority Species And Habitats  
Policy NE3 - Biodiversity and Geological Enhancement  
Policy NE4 - Green Infrastructure  
Policy NE5 - Conserving and Enhancing Landscape Character  
Policy D1 - Designing a High-Quality Place  
Policy D2 - Creating a Positive Character  
Policy D3 - Design of Buildings  
Policy D5 - Amenity and Street Scene  
Policy CC1 - Public Art  
Policy CC2 - Location of Community Facilities  
Policy CC4 - New Community Facilities  
Policy SC1 - Sustainable Construction

### 3.4 Supplementary Planning Documents/Guidance

Parking Standards SPD (January 2016)  
New Residential Development Design Guide (April 2012)  
Sustainable Construction Guide SPD (April 2007)  
Milton Keynes Drainage Strategy - Development and Flood Risk SPG (May 2004)

### 3.5 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

### 3.6 Equality Act 2010

Due regard, where relevant, has been had to the Milton Keynes Council's equality duty as contained within the Equality Act 2010.

## **4.0 RELEVANT PLANNING HISTORY**

### **4.1 Relevant Pre-application Advice**

17/01597/PRESMA - Pre-application advice was issued on 14<sup>th</sup> July 2017, this advice was issued based on the previous Local Plan (2001-2011) and the Core Strategy (2013), which have now both been superseded by the adoption of Plan:MK in March 2019.

The principle was considered acceptable under former Local Plan policy C9. However, suggestions were made to increase the car parking from 21 spaces to meet the council's adopted standards (55), re-siting the building away from the nearest residents. Suitable drainage and landscaping schemes were also strongly recommended within any subsequent planning application.

### **4.2 Application Site**

19/00628/FUL - New Temple and Community Hall, gross external area of 894msq over two floors. Withdrawn 29<sup>th</sup> April 2020

## **5.0 CONSULTATIONS AND REPRESENTATIONS**

### **5.1 Shenley Brook End and Tattenhoe Parish Council**

A summary of the representation is as follows;

#### Principle

- The proposals as submitted fail to meet the requirements of Part 2, points (i-iii) of Policy CC2 of Plan:MK, and as such the principle is not established.
- The key issues specifically relate to the site selection process and the absence of sites outside of the ownership of Milton Keynes Community Foundation (MKCF).
- There is a clear conflict of interest with the adjacent sports pavilion and nearby school, as will be demonstrated later within this submission.
- The Parish Council believes that, despite the attempts at improvement between the previous Planning Application and this new proposal, the arrangements for parking provision remain inadequate.
- The proposal is also contrary to Policy CC4 on the basis that there is little evidence to how the site would improve the quality of the community facilities within the vicinity and would be detrimental to the adjacent sports pavilion, nearby schools and local residents, primarily due to the impact of parking, traffic and congestion, particularly during festivals and special events.

#### Transport and Parking

- Even with the Traffic Strategy submitted with the application, the Parish Council remains unconvinced that the proposals will mitigate the negative impact of the traffic which will be generated by the use of the site. Particular concerns include the detrimental impact upon highway safety, the capacity of

the nearby highway network and the conflict which will likely arise between neighbouring uses.

- Risks will also be associated to the health and safety of school children and their parents/carers. This will be prevalent during festivals and event days, which may result in excess of two hundred attendees.
- Whilst recognising the increase in parking provision in comparison to the withdrawn application, the Parish Council remains concerned that there is no understanding that parking levels for events will likely be significantly higher. On such events the Parish Council are of the view that this will cause overspill onto the nearby highway network.

### Design

- Whilst the shipping container concept remains, the Parish Council is of the view that the design is an improvement on the previous application. Whilst concerns remain as to the use of shipping containers, the Parish Council acknowledges that and acknowledges that 'places of worship, regardless of religion or creed, are usually designed to stand out from the surrounding building, rather than blend into the background. The Parish Council is of the view that, provided that the materials used can be shown to be durable and stand the test of time without deterioration, then the unusual building characteristics are a feature that should not lead to refusal on design grounds'.

### Consultation

- The Parish Council was less than enthusiastic in regard to the consultation process over the withdrawn application – and is, therefore, dismayed to learn that no public consultation has been undertaken by the applicant on the revised application. Indeed, the document posted by the applicant on MK Council's website clearly shows, on the front cover, that no further consultation has taken place by the applicant since 12<sup>th</sup> February 2019.
- The Parish Council believes that a full and proper consultation exercise should have been carried out with regard to the new application. It is the view of the Parish Council, therefore, that unless or until such time as members of the public are afforded the opportunity, by the applicant, to publicly examine the application, no determination of the application should be envisaged.

### Crime Prevention by Design:

- The Parish Council is concerned by many of the issues raised in the report from the Crime Prevention Design Advisor, Thames Valley Police. It is the view of the Parish Council that the applicant must agree to undertake in full the measures therein before planning permission can be approved, should MK Council be minded to so grant.

### Summary

- This new, revised Planning Application has much to recommend it. In many ways, it is an improvement on the withdrawn application and the Parish

Council is satisfied that the applicant has sought to modify the proposals in the light of advice from MK Council and comments received from members of the public and statutory consultees.

- [However], there are still a number of key areas that require being resolved before a determination can be reached on the current application. These include:
  - Principal of location,
  - Traffic and transport,
  - Parking provision
  - and Crime prevention by design.
  
- The Parish Council recommends that it is unable to recommend a granting of planning permission until all of the issues as set out are addressed and the completion of a new consultation exercise. The Parish Council is of the opinion that it would welcome the opportunity to review a revised application that encapsulates those issues that are considered to be preventing the Parish Council from giving this application their full support.

## 5.2 Cllr Anthony Brown – Tattenhoe Ward (Chair of DCC)

I have read all representations on this application and have come to the conclusion that, on balance, I have to object on behalf of the residents of Tattenhoe. I feel it is important that the decision is made in public, with residents given the opportunity to have their views heard, so I have requested it be heard by the Development Control Panel/Committee, in whatever form this may proceed during these uncertain times.

I object on the following grounds, and will elaborate further at the DCP meeting:

There are some concerns about the proposed design and the materials planned for construction. Policies D1, D2 and D3 in Plan:MK are all relevant in this case. Concerns have been raised about the materials proposed for construction, the massing and scaling of the building, particularly in relation to the height of the building. It is also considered to be out of character with the area.

Although a travel strategy has been submitted, the impact on the local highways and traffic are not in line with policy CC2 of Plan:MK. This states, 'Non-residential community facilities (will be permitted) at other locations if all of the following criteria are met:

- The proposal is accompanied by evidence that demonstrates why it cannot be satisfactorily accommodated at other locations;
- There would be no conflict with existing or potential neighbouring uses;
- The site has adequate parking and access arrangements; and
- The number of places of worship permitted in an area does not undermine its main planning use.

3. Residential community facilities within housing areas preferably in locations well related to local centres. Proposals will need to show that buildings are designed to be adaptable for multi-use'.

With the current capacity of the road network around the area being very much stretched, the proposed development will have a significant negative impact as described in CC2. The proposal does not satisfy all conditions of CC2 parts 2 and 3.

As Tattenhoe is not well related to a local centre, there being no local centre in Tattenhoe, the proposed site does not fulfil criteria 3 well.

The proposal does not satisfy policy CC4 of Plan:MK as the opening hours will have detrimental impact on residential amenity.

The overwhelming feeling from local residents is that this proposal is in completely the wrong location and is not sustainable at the site. A petition with, at time of writing, 598 signatures objecting to the proposal, demonstrates the strength of feeling.

### 5.3 Cllr James Lancaster – Tattenhoe Ward (member of DCC)

Additional comments have been received during the re-consultation period which are summarised as follows;

- There have been additional representations received which are not within the DCC report.
- The location of the site is unsustainable.
- There are limited means to control the number of attendees to the site.
- Development fails to meet the criteria as set out in Policy CC2.
- Other sites including unallocated Homes England land should also be considered.
- There would be direct conflict between neighbouring uses, particularly during peak Pavilion times.
- The officer report does not refer to the meals which will be prepared on-site, and associated pollution/staff generation.
- Impact on the highway network not properly considered.
- Unacceptable reliance on unsustainable transport.
- Development does not meet the council's adopted parking standards.
- A different parking standard should be applied (i.e. Events Venue).
- Design remains unacceptable.
- The scale and massing of the building, in conjunction with the levels would result in an unacceptable impact upon residential amenity.

Initial comments received:

“Whilst I agree for the need of a temple and wishing to support the Hindu community, this location is NOT suitable for the Temple.

I strongly object and recommend refusal of the application, and in no particular order;

Failure to address concerns raised a year ago which led to the application being withdrawn.

An almost identical proposal was withdrawn due to significant concerns from the local community about lack of consultation, poor design, traffic congestion and parking, loss of bio diversity, pollution, and the ability of established leisure activities and sport to continue to operate at Tattenhoe Pavilion if the temple and community centre was built in this location. Contrary to recommended good practice and planning guidance at national and local level, the applicant has failed to reasonably address many of these concerns, and to consult local residents before resubmitting. Claims made about the support of local residents are grossly overstated.

#### Location, threat to existing community facilities.

The Temple is to be a site of national presence for the Shital community, accessible to a wide audience, not just Tattenhoe. There will be up to 95 worshippers a day but the key issue of concern is the special events – a minimum of 4 festival occasions during the year plus hirings for weddings and other celebrations. The full capacity of the facility is 300 people. Tattenhoe is a quiet residential area with a thriving community centre and sports pavilion within 100m of the proposed temple and community hall. The impact of this will affect local facilities, and impact on the local community. Traffic congestion and competition for parking spaces would be a significant issue and could affect the sports, tournaments and leisure facilities at Tattenhoe Pavilion.

Plan:MK Policy CC4, New community facilities:

“Milton Keynes Council will support development proposals where they:

- i. Retain and maintain existing facilities which are valued by the community;
- ii. Improve the quality and capacity of facilities valued by the community; and

A risk assessment of the impact this proposal would have on existing facilities has not been carried out but is required before this decision is taken.

The Site Selection Report in the application addresses only the 27 small sites available through MK Community Foundation. There is no evidence of a wider search which might reveal a more suitable, sustainable site.

#### Design

The appearance, design and construction materials are to go with the overall character of the area, which is an area of traditional housing construction. Stated in planning guidance – a place of worship can be a “stand out” design, in contrast to nearby residential designs. MK has a tradition of some great winning buildings to be proud of MK. However this design stands out for the appearance of a cheap solution; is not pleasing and unfortunately it looks exactly like a set of painted shipping containers. No marine paint can hide this, if anything it will make it stand out. The trellis, added following adverse comments in the last submission has the appearance of simply being “glued” onto the front façade and covers the windows to the large hall. I would say the temple and community hall design is not a good, sustainable design which enhances the character of the area, and does exactly the opposite. This failure is a material planning consideration.

### Building mass is overbearing

The shipping container shape painted in rust orange appearance is not fitting with the area, and is of considerable height in a very prominent position. Allowing for one and a half meter of ground levelling on the south side, the height to the top of the container will be 8m resting on an upward slope. The roof and spire will add more height on top of this. It will be overbearing over surroundings, especially to nearby housing in Benacre Croft, Fife Court, and Holborn Crescent. Gardens in Eastoke Place will look onto it.

The overall impact is needed to be brought for attention to MK Urban Design Planning Standards.

### Traffic congestion / parking issues

Tattenhoe estate is served by narrow estate roads and small roundabouts. Tattenhoe Pavilion hosts a successful Football Club, also other facilities for local people. Traffic on Thursday evenings and weekends is already heavy with roads and parking facilities stretched to full capacity. Thursday to Sunday would be peak usage time for the temple and community hall, creating an additional unbearable and unsustainable impact on roads and for residents living there. Families would be put at risk from the additional significant traffic volumes, noise and pollution. On weekends and Thursdays there is clear photographic evidence of parking on verges, outside houses and driveways; adding up to 300 extra visitors would be disastrous for residents. The Travel Strategy and Plan is woefully inadequate, with no real credible solutions as to how the additional traffic will be managed. There is mention of use of the carpark outside the nearby school and the Pavilion but these are already full at precisely the time when the temple and community hall would need the capacity. Park and ride facilities do not exist and the nearest large parking area at Westcroft District Centre is also full on weekends and the landowner has refused permission to park there.

Safety at main junctions compromised;

Access onto the V1, already a dangerous junction, would be an issue as motorists queue to exit the estate and feel under pressure to "make a break" to get out. Access and exit via V2 would take cars through Tattenhoe estate on narrow roads, with many parked cars.

Number of parking spaces still inadequate;

There are discrepancies in the plans and documents as to the size of the facility and its functions which affect parking requirement calculations. These discrepancies need to be addressed and eliminated.

The 13 extra spaces to 55, in the new application, are insufficient. This is not just a place of worship. It houses a large community hall for festivals, weddings and day-long celebrations which require all day parking. I question whether the allocation of space between worship and community reflects the reality of use; worship space has a higher (double) parking standard and is only one quarter of the total space. I suggest this needs to be re-examined and tested.

Notwithstanding this comment, parking requirements do not include 2 spaces for the 2 bed flat, or an allowance for catering staff and distribution vehicles serving the planned 21k meals a day across MK.

Where will 250-300 visitors for celebrations park? As mentioned above there are no available empty parking facilities nearby to take these visitors. The Pavilion car park and school will already be full.

Lastly, the size of each parking space in the plan is at the very low end of modern standards and this coupled with minimal manoeuvre room within the car park, and only one car park entry and exit will exacerbate the parking problem.

In summary this application fails to meet MK's parking standards SPD.

Environmental health and protection assurances are missing;

Houses are very close to the temple and will be affected by noise, smells and light pollution from 7 day a week, 12 hour opening. An average of 21,000 meals a year are to be supplied to the homeless, on top of normal catering for worshippers and events. There is a concern therefore about cooking smells escaping into the surrounding environment from the 12 hours a day operation.

Any suggestion to use planning conditions to restrict numbers would be unenforceable.

There is nothing in the Travel Plan to provide confidence that residents will be shielded from the impact of large car influxes, beyond the capacity of local roads and parking availability. Any attempt to mitigate this through a planning condition would be ineffective. Experience is that visitors arriving would not be turned away.

In summary this location is unsuitable for this facility and I recommend refusal on the grounds cited. In the event that the Planning officers recommendation is to accept the application, then I formally request that this application is heard Development Control Committee/Panel and that a site visit is made by the decision makers in any event.

A more suitable location for the temple and community centre is required.”

#### 5.4 Cllr John Bint – Broughton Ward (Vice Chair of DCC)

In responding to an open email sent with the petition (Then as Chair of Development Control Committee), acknowledgement was made of receipt and a word of thanks was expressed to members of the public engaging with the planning process and consultation. However, no comments were made as to the merits of the planning application, citing that members of DCC are unable to be pre-determined in any way prior to the meeting without invalidating a right to take part in the debate. Additional comments were made advising residents of procedures and the planning process.

#### 5.5 MKC Development Plans/Policy Team

In relation to the principle of development in terms of alternative sites, the Policy Officer has commented that; 'From the information you have supplied to me with on the attached file, it is apparent that the applicants have approached many commercial agents and surveying firms (across the Borough) but have not been able to come up with a suitable alternative'.

## 5.6 MKC Highways

This proposal is for the erection of a building to be used within the D1 use class; primarily for community and worship uses. The application is a resubmission of the previous application, 19/00628/FUL, which was withdrawn.

The key differences between the two applications, in highway terms, are the increase in proposed parking to 55 spaces and the reduction in floorspace from 894m<sup>2</sup> to 827m<sup>2</sup> (as quoted in para 4.04 of the D&A Statement and para 4.2 of the planning statement). The current application also includes a revised access arrangement.

Despite quoting a GEA of 827m<sup>2</sup>, the schedule of floorspace in the D&A Statement (section 7.00 "Area Schedule") states a GEA of 924m<sup>2</sup>. This schedule shows 238m<sup>2</sup> of space for worship.

The highway advice provided for the withdrawn application sought a parking provision of 55 spaces (based on 894m<sup>2</sup> GEA and 232m<sup>2</sup> for worship). Using the figures from the Area Schedule in the DAS, the current parking requirement is, 238m<sup>2</sup> Worship @ 1:10m<sup>2</sup> = 23.8 spaces + 686m<sup>2</sup> D1 @ 1:22m<sup>2</sup> = 31.2 spaces; Total = 55 spaces.

Despite the slight changes in floor area, based on the DAS floorspace figures, the parking requirement remains at 55 spaces. The applicant has now included 55 spaces as part of the proposals. Given the previous highway advice and the compliance with the Council's parking standards, the proposed parking provision is accepted.

In the absence of a specific standard for cycle parking, the general D1 standard of 1 space per 100m<sup>2</sup> plus 1 space per 10 staff should be applied. Staff figures are not provided but the application includes 12 cycle parking spaces, which would cater for 9 visitor spaces and 3 staff spaces (i.e. up to 30 staff). The cycle parking provision is acceptable.

The proposed layout of the car parking and the revised access proposals are acceptable and these can be covered by suitable condition should consent be issued.

The application is accompanied by several supporting documents, including a "Travel Strategy" (Travel Plan). It is assumed that the relevant team within the Council will provide comments on this document and ensure that the travel measures proposed are robust and will limit car-borne journeys to the site.

The application is also accompanied by plans indicating an area of parking at Wimborne Crescent in Westcroft. It is not clear what these plans are intended to indicate and there is no obvious reference to this parking area in any of the documentation.

There is anecdotal evidence, from objectors, that the area is, on occasion, subject to some overspill parking from existing uses. However, the application complies with the Council's parking standards and therefore there is no reason to suspect that the

proposal would exacerbate this situation. In fact, the applicant has demonstrated a willingness to make the new car park available to other users at busy times, thereby potentially reducing overspill parking.

## **Summary**

The site is in an accessible location and the proposed development meets the Council's parking standards. There is a Travel Strategy that the applicant should be required to strengthen and should be enforced. Mindful of this, there is no objection to the granting of planning permission subject to the following conditions:

1. Prior to the commencement of the development the new means of access shall be sited and laid out in accordance with the approved drawing and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The access so laid out shall be retained thereafter.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the access.

2. Prior to the occupation of the development hereby permitted the car parking area shown on the approved drawings shall be constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the safe free flow of traffic on the neighbouring highway.

### **5.7 MKC Urban Design**

"Public buildings including religious buildings should be memorable features in the townscape that relate to their location and use. Whilst, I am supportive of the modern design of the temple as it is an innovated approach using relatively modern methods of construction that can largely take place off site, the colour of the shipping containers needs to be conditioned to ensure that the chosen colours relate well to those used in the built form context.

Whilst I understand that the first floor halls have sky lights, I am concerned about the view out of the first floor windows that are behind the trellis and will be obscured. I would like a better understanding of how much light they will get and the extent to which the view out is blocked in order to understand if this is a practical relationship. Ideally there would be a management plan for any plants that climb up the trellis as this could also block the view from the windows and limit surveillance of the public realm. Understanding this is important as the trellis is a key part of the façade and I wouldn't want to see it removed at a later date in order to see out of the window or provide more light to the hall.

It is important that the building creates its own identity beyond the building material and doesn't simply resemble a collection of shipping containers. It's my view that the design has achieved this.

Whilst the proposed building and its materials are unconventional it is modern and innovative and consistent with Milton Keynes reputation as an ambitious, forward thinking city. It is also common for religious and community buildings to have different characteristics from the built form context to some extent these buildings should stand out.

It is for these reasons, that in terms of design, I don't object to this application."

#### 5.8 MKC Flood and Water Management Officer (Lead Local Flood Authority)

Objection; 'We note that the applicant refers to a living green wall, permeable paving and a drainage plan but this information does not appear to have been submitted as part of the application.

Once the applicant has provided the above information we will look to provide our comments'.

#### 5.9 MKC Landscape Services (Tree Officer)

No representations were received at the time of writing this report.

#### 5.10 MKC Environmental Health

No objections in respect of noise;

'Cass Allen are a reputable firm of acoustic consultants and I am happy to accept their conclusion that noise levels will be within acceptable limits.

However, the assessment is based on the assumption that the Temple will only be operate between the hours of 08:00 and 21:00 hours. Therefore, I would advise that a Planning Condition is imposed limiting use of the Temple (and associated outside and car parking areas) to within 08:00 and 21:00 hours. This is in order to protect the amenity of nearby residents. Any deviation from these hours would require a further noise assessment'.

#### 5.11 MKC Archaeological Officer

No objections.

#### 5.12 Thames Valley Police

"Whilst I do not wish to object to the proposed plans, I do have some concerns in relation to crime prevention. The National Planning Policy Framework demonstrates the government's commitment to creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With this in mind, I would like to draw attention to the following observations:

### Boundary Treatment

The Design and Access Statement states there is no physical boundary definition for this development. However, I note the existence of existing boundary trees and bushes. These should be managed and should clearly define the boundary between public and private realm.

### Landscaping

I have been unable to locate a landscaping masterplan from the documents submitted. It is also important to ensure that any low level landscaping or bushes is maintained so it does not provide places of concealment or restrict surveillance.

### Car Parking

The car parking area to the north of this site has limited surveillance from the surrounding area, and has no physical boundary restricting access. As the Design and Access Statement references the inclusion of CCTV, I ask the applicant to include CCTV over the car parking area.

### External Benches

I note from the plan 562-1020-C 'Site Plan Proposed' dated 21 October 2019 that the applicant plans to include two benches besides parking bays 40 and 45. The bench next to bay 40 lacks surveillance.

I ask the applicant to consider relocating this bench into an area where it can be observed from the main building.

### Bin Storage

I have concerns that the current location of the bin storage is problematic as it restricts surveillance over the car parking area, and provides an unobservable blank elevation.

- I am making a recommendation that the applicant relocate the bin storage away from the building whilst ensuring the bin storage still has ample surveillance. This will allow for the possible addition of a second window from the dining hall to further improve surveillance.

### Residential Unit

The front bedroom in the residential unit has a double leaf doorset which is located next to the footpath. From a crime prevention perspective I am unsure if this is appropriate as this will limit the amount of privacy the resident will have, and it is likely the resident will close the blinds / curtains as a result, which will limit the surveillance opportunities between the public and private realm.

I recommend replacing the double leaf doors with a suitable window, with planting below to provide a 1.5m offset / defensible space.

## External Doors

All external doors to the main building should meet the requirements in LPS 1175 SR2, with any glass therein being laminate glass. If double glazed then only one pane needs to be laminate glass. These external doors should be linked to any alarm fitted and should be externally illuminated with security lighting.

The external doors to the residential unit should meet the requirements set out in BS PAS 24 with any glass therein being laminate glass. If double glazed then only one pane needs to be laminate glass and should be externally illuminated with security lighting.

## Exterior Emergency Fire Exit Doors

I am presuming the two exterior doors behind the staircases are exterior emergency fire exit doors, but there is no information regarding their standard. Emergency fire exit doors should be robust and not have any door furniture on the outside and should comply with the fire rating standards. They should also be linked to any alarm fitted and externally illuminated with security lighting. For additional advice please confer with your local fire officer.

## Access

I ask the applicant to ensure that the reception /administration and office / storage is secured to allow only authorised individuals into these areas to reduce the risk of unauthorised access.

## CCTV

The Design and Access Statement pages 21 makes reference to the building being 'fitted with CCTV where necessary'. CCTV should be monitored continuously and appropriately recorded, and consideration given to ensure any fitting of CCTV fits within an overall security management plan in order to maximise its effectiveness.

- I ask the applicant to provide dedicated CCTV to the vulnerable and unobserved areas of the development, including:
  - The rear of the main building
  - The car parking bays, particularly the parking bay to the north of the main building
  - Please see Secured by Design Commercial 2015 49.1 to 49.10 for further information.

## Lighting

From the submitted documents I was unable to locate a lighting plan for this development. The building and parking area should be lit appropriately with column lighting and in accordance with BS 5489:1-2013, with dusk to dawn lighting to ensure the area is adequately lit. From a crime prevention perspective bollard lighting is not recommended as the light is easily obstructed, damaged, and does not assist with recognising facial features and therefore should be avoided."

### 5.13 Buckinghamshire Fire & Rescue Service

Comments to be provided as part of building regulations, however the following observations and comments are made on the planning application as follows;

- All applications must give due consideration to Approved Document B, Section 15 (Fire Mains & Hydrants) and section 16 (Vehicle Access).
- Particular attention must be given to parking facilities to prevent chronic 'double parking' issues, which could ultimately affect emergency service attendance.
- Where a gated development is included within the application it is preferable that a digital lock is fitted, it is then the responsibility of the property owner to inform Buckinghamshire Fire & Rescue Service of the access codes and update details should there be any changes.
- Where blocks of flats are included within a development the design of refuse storage and collection areas within these buildings should be such that there are no opportunities for deliberate ignition of the refuse, furthermore any fire that may occur within the refuse areas should not affect any habitable areas of the development. In addition, private dwellings should be provided with adequate secure bin storage that is separated from the building by either distance or fire resisting structure.

### 5.14 Neighbour/ Third Party Representations

A total of 626 third party representations have been received, 321 letters in support (from 293 addresses) and 305 letters of objection (from 220 addresses). A petition has also been received objecting to the proposed development with a total of 1,192 signatories.

A summary of the supporting comments are as follows;

- Local need for the place of worship
- Development will provide support services to the community
- The development now provides sufficient car parking
- Support of the design of the building

A summary of the objection comments are as follows;

- Principle of development unacceptable
- A more centrally located site is more suitable
- Lack of sufficient car parking, which will exacerbate existing parking issues within the area, particularly during term time and when events are taking place at the Pavilion
- Incorrect parking requirement
- Significant visitation to the site from outside of the Borough
- Detrimental impact upon the surrounding highway network
- Scale, bulk and mass of the building will harm the character of the locality
- Events within the year will result in significant impacts on on-street parking provision

- Negative impact on levels of pollution by virtue of noise/odours
- Incongruous design
- Detrimental impact upon residential amenity due to the height of the building and levels
- Level of consultation from the applicants not accurate
- Planning conditions will be enforceable

The comments in the petition with 1,192 signatories is set out below:

'We the undersigned are opposed to the proposal for a temple and community centre on land owned by MK Community Foundation off Holborn Crescent, adjacent to Tattenhoe Pavilion in the heart of Tattenhoe.

A year ago an almost identical proposal was withdrawn due to significant concerns from the local community about the lack of consultation, design of the building, traffic congestion and parking, loss of bio diversity, pollution, and the ability of established leisure activities and sport to continue to operate at Tattenhoe Pavilion if the temple and community centre was built in this location. We the undersigned strongly object to this application based on the following points:

1. Location. The Temple is to be a site of national presence for the Shital community, accessible to a wide audience, not just Tattenhoe, hosting events for up to 250-300. Tattenhoe is a residential area and unsuitable for this facility.
2. Design. The appearance of the temple, its design, and construction materials will detract from the overall character of the area, which is an area of traditional housing construction. The amenity value of the street scene will be badly affected. Its presence will be overbearing to nearby housing in Benacre Croft, Fife Court, and Holborn Crescent. Gardens in Eastoke Place will look onto it.
3. Traffic, pollution, noise. Tattenhoe estate is served by narrow estate roads and small roundabouts. Tatt. Pavilion hosts a successful football club and other facilities for local people. Traffic on Thursday evenings and weekends is heavy with roads and parking facilities stretched to full capacity. Thursday and Saturday are peak usage times for the temple, creating an additional unbearable and unsustainable impact on roads and for residents living there. Houses front onto the access roads so families would be put at risk from the additional significant traffic volumes, noise and pollution.
4. Safety. Access onto the V1, already a dangerous junction, would be an issue as motorists queue to exit the estate and feel under pressure to "make a break" to get out. Access and exit via V2 would take cars through Tattenhoe estate on narrow roads, with many parked cars.
5. Parking. The 13 extra spaces to 55, in the new application, are insufficient. Peak time traffic already causes obstruction and gridlock. Adding 300 additional visitors for all day parking for events with just 55 spaces does not pass the common sense test. We question the allocation of space

between worship and community use; worship space which has a higher parking standard appears low compared to community use. A more realistic allocation to worship space would mean that parking spaces are inadequate and do not meet MK parking standards.

In addition the temple and community centre will produce a substantial number of meals for distribution each day. No allowance is made for distribution vehicles.

The size of each parking space is inadequate for the size of modern cars. Park and ride is infeasible as no facilities exist for this.

6. The access road to the car park crosses the footpath to the Pavilion. Key safety issue.
7. Environmental health and protection. Houses are very close to the temple and will be affected by noise, smells and light pollution. An average of 21,000 meals per year are to be supplied directly to the homeless, on top of normal catering for worshippers and events. There is a concern therefore about cooking smells escaping into the surrounding environment. Bats and other wildlife will be disturbed by the 7 day 12 hour operation.
8. Consultation. Claims about consultation and support of local residents are grossly overstated. This proposal does not have the support of local residents.
9. Any Planning conditions to restrict numbers would be unenforceable. Experience is that visitors arriving would not be turned away.

In summary, residents, the community and the environment would suffer if this application was allowed. This location in the heart of Tattenhoe is unsuitable for this facility. We ask DCC members to carefully consider the objections presented and to decline this application. A more suitable location for the temple and community centre is required'.

## **6.0 MAIN ISSUES**

Principle of Development  
Highway matters  
Design & Character  
Crime Prevention  
Heritage & Archaeology  
Residential Amenity  
Ecology  
Drainage & Flood Risk  
Sustainable Construction  
Other matters

## 7.0 CONSIDERATIONS

### Principle of development

- 7.1 Since the submission of the application, an amendment to the Use Class Order has come into effect. However, this application was submitted prior to the 1<sup>st</sup> September 2020, and refers to a pre-September 2020 use and Use Class. In accordance with the relevant guidance, any application submitted prior to 1<sup>st</sup> September 2020 must be determined by reference to the pre-September 2020 use or use class.
- 7.2 The application seeks consent for the erection of a new place of worship within the predominantly residential area of Tattenhoe, on land which has no formal designation within Plan:MK. The NPPF is supportive of the creation of healthy and integrated communities. Paragraph 92 seeks to provide sufficient and suitable social, recreational and cultural facilities. Specifically, Part a) states that planning decisions should plan positively for the creation of community facilities (including places of worship) to enhance the sustainability of communities and residential environments.
- 7.3 In accordance with Paragraph 92 of the NPPF, Plan:MK also places high regard upon community facilities. Paragraph 16.33 in the pre-text to policy CC2 identifies that community facilities which serve the needs of the community, can make a significant contribution to helping people build social interaction into their everyday lives by ensuring the right facilities in the right place.
- 7.4 The pre-text to Policy CC2 also acknowledges the need for meeting places to be located in areas accessible by not only local residents, but also people from across Milton Keynes to ensure they are economically viable. It states that 'they are best located on sites with suitable links to public transport or with suitable parking facilities.' It is for this reason that non-residential community facilities located within, or adjacent to Central Milton Keynes and Local Centres will be supported. It is acknowledged, however, in this case the application site is located outside of a main district, local or town centre. As such Part 2 of Policy CC2 applies which presents the following criterion for developments outside of local centres to be acceptable, which states;
- '2. Non-residential community facilities at other locations if all of the following criteria are met:
- i. The proposal is accompanied by evidence that demonstrates why it cannot be satisfactorily accommodated at other locations;
  - ii. There would be no conflict with existing or potential neighbouring uses;
  - iii. The site has adequate parking and access arrangements; and
  - iv. The number of places of worship permitted in an area does not undermine its main planning use'.

### *Criterion (i) – Evidence as to whether the site can be accommodated in other locations*

- 7.5 In this instance the development seeks to comply with Part I of the criterion through the submission of a site selection process report. Within this report the applicants

have demonstrated that SHITAL have worked with the Milton Keynes Community Foundation (MKCF) to identify a suitable site for the proposed place of worship to be located. Within the report the applicants have detailed how, out of the 35 sites offered, 17 sites were shortlisted.

- 7.6 The initial findings of the shortlisted sites indicated that a site at Emerson Valley was preferable, however a feasibility study concluded that the developable area within the site was not sufficient to be able to support the proposals, as a result the architects made further recommendations for the site attributes.
- 7.7 With these recommendations two sites were identified as being suitable, both of which were in Tattenhoe, one located at land opposite Giles Brook Primary School, and the second being the application site subject to this application, off St Agnes Way. Following a bid to MKCF, the application site was offered as the most suitable due to the size, location and availability.
- 7.8 As submitted, it is acknowledged that the site selection process undertaken focuses on MKCF land. It is noted that comments from Shenley Brook End and Tattenhoe Parish Council, alongside a large number of representations received, raise concerns of the narrow focus of the site selection process. This view was also shared by the Case Officer who considers that, in line with other sequential tests, land ownership must only carry limited weight.
- 7.9 The applicants were invited to undertake additional searches ahead of determination of the planning application. Ahead of this process a scope was agreed with the Council's Planning Policy Officer who recommended that Milton Keynes Development Partnership and Commercial Agents were contacted to ascertain as to whether alternative sites within the Borough were available.
- 7.10 As part of the supplementary report, the applicants have demonstrated that a total of 37 commercial agents and other landowners within the Borough have been approached, alongside Milton Keynes Development Partnership, in addition to internal stakeholders including Economic Development colleagues. The report states that of the search, two sites were identified as being available, one plot being located within North Crawley totalling 2.06 acres, marketed by Taylor Walsh. However, this site has been discounted due to the lack of nearby public transport.
- 7.11 A further site was also identified at Westcroft. However, due to servicing constraints on adjacent sites, there are a number of restrictions on the site which prohibit the erection of buildings. Therefore, the site is considered unsuitable to accommodate the proposed place of worship. Based on the report, it has been concluded that whilst other sites have been explored, no alternative sites which meet the requirements to accommodate the proposal have been identified. As such the Council's Planning Policy Officer has commented that based on this additional information there is sufficient evidence to demonstrate that the applicants have met the criterion within Policy CC2, as such it is considered that Part (i) of the criterion is satisfied.
- 7.12 It is noted that representations have been made that further sites should be explored, particularly in forthcoming development land within the Borough. However, when

making an assessment of available land it is considered that a proportionate approach should be taken in land which is currently available.

*Criterion (ii) - Conflict with neighbouring uses*

- 7.13 With regards to criterion ii of Policy CC2, the Case Officer has considered the proposed operations of the site, which as detailed within the Design and Access Statement include (in addition to the use of the site as a place of worship); hosting tuition services, working with charities, food distribution, the use of the site as a hired venue, after school club and limited ancillary library facilities.
- 7.14 The envisaged daily schedule for the site indicates that the hours of operation extend from 08:00 to 20:30 daily. The applicants, using comparable attendance data to other SHITAL sites have projected that usage of the site on weekdays will be between 24 – 45 persons, with between 65 – 95 persons on Thursdays and Weekends. When assessing the compatibility of the use of the site at these times it is noted that within the vicinity there are residential dwellings, a primary school and sports pavilion (which operates from 09:00 to 21:00).
- 7.15 The applicants have submitted a noise assessment in support of the application. The Council's Environmental Health department have been consulted on the proposed development in respect of resultant noise impacts. As submitted, based on the hours of operation between 08:00 and 21:00, the noise levels are of an acceptable level in line with environmental health legislation. It is for this reason that the Environmental Health Officer has not raised any objections to the development as proposed, subject to a condition being imposed limiting the hours of operation of the site to the hours of 08:00 and 21:00 daily. These opening hours are therefore suggested to be secured via condition, and with this condition attached the proposal is considered to accord with both Criterion ii of Policy CC2, and Part D of Policy CC4 of Plan:MK (2019).

*Criterion (iii) - Parking and access arrangements*

- 7.16 Parking and highways considerations are covered within the relevant section (Para's 7.18 – 7.33) of this report.

*Criterion (iv) - Nearby places of worship*

- 7.17 In this instance the site would be the only place of worship besides the existing St. Giles Church within Tattenhoe, the distance between the places of worship are approximately 390m as the bird flies which is considered to be a notable separation distance, it is for this reason that the proposed development is in accordance with Part iv of the aforementioned criterion.

*Additional Principle Matters*

- 7.18 As previously indicated, in addition to Policy CC2, Policy CC4 is also relevant in this case. Part A of the policy states that Milton Keynes Council will support new community facilities where they; Retain and maintain existing facilities; Improve the quality and capacity of facilities, and; the site has adequate parking and access arrangements.

- 7.19 This proposal will provide another community facility within the immediate vicinity to Giles Brook School, which contains a nursery, as well as the Tattenhoe Pavilion. However, the addition of the place of worship/community centre is not considered to have a detrimental impact upon nearby community uses. It is noted that the use of Tattenhoe Pavilion is primarily sport related, whereas the proposed offering will focus more toward extra curriculum learning and community space. It is therefore considered that the development as proposed is consistent with Policies CC2 and CC4 and as such the proposal as submitted is acceptable in principle, subject to the material considerations set out below.

#### Highway matters

- 7.20 Policy CT2 of Plan:MK requires new development proposals to minimise the need to travel, whilst also providing opportunities for the use of sustainable transport modes. It also expects that development proposals integrate into the existing sustainable transport network, whilst also providing safe, suitable and convenient access for all users, with on-site layouts suitable to maximise safety of future occupiers of the site.
- 7.21 In this instance it is acknowledged that, due to the out of town centre location of the site, there will be an additional associated need for travel, as opposed to the site being located within a town or district/local centre. However, as previously discussed the principle for the development in this location is deemed to be acceptable for the reasons as previously presented within this report.
- 7.22 Within the planning submission a travel strategy has been submitted in support of the application, the strategy sets out the anticipated visits to the site in further detail, primarily based on the visits to a similarly proportioned site located in Reading. The number of visitors on a Thursday and Weekend (as expected peak days) will be approximately 65 – 95 visitors throughout the day, an average of 7.6 visitors per hours over the day. It is however acknowledged that there will be peaks in the attendance through the day. Based on the comparable site, between thirty and fifty percent of the daily visitation will be in attendance between 1830 and 2000 hours. This is considered to be a maximum of 47 visitors at one given time.
- 7.23 The travel strategy acknowledges that there will be at least three times per year when attendance will be higher, during religious festivities. At these times 250 – 300 visitors will be in attendance over the course of the day. Whilst it is acknowledged that the applicants, through the travel strategy have indicated that the site can be managed to control the visitation to the site on such occasions, no detail has been provided as part of the travel strategy. It is for this reason that a detailed travel plan is suggested to be secured via condition in order to ensure that the site is sufficiently managed to mitigate impacts of the peak times of the site upon adjacent streets.
- 7.24 As part of this travel plan, further detailing as to the means of promoting sustainable transport modes to visitors and staff alike will be expected, alongside means of public transport being promoted within the site.

## Access

- 7.25 In accordance with Policies CT2, CT3 and CT10 of Plan:MK, all new developments are required to ensure that access points are, safe, suitable and convenient for all users. In this instance the vehicular access to the site is proposed off St. Agnes Way; the bell mouth junction is proposed approximately 14.5m from the access point into the neighbouring Tattenhoe Pavilion. The access itself is 5.8m in width and is therefore able to accommodate two vehicles side by side. The layout of the car park itself also meets the highway standards required in terms of reversing distances and circulation space.
- 7.26 Whilst it is acknowledged Buckingham Fire and Rescue Service have referenced car parking within their consultation response regarding 'double parking issues', the car park as approved will be required to be laid out and maintained as approved, thereby reducing the risk of any associated parking issues on-site.
- 7.27 It is noted that there have been a large number of public representations, alongside objections received from Ward Members and the Parish Council whom have concerns over the impact of the development upon the nearby highway network. Concerns have been raised in particular to the impact on St Agnes Way and Holborn Crescent, particularly at peak times which include when the Pavilion is in use and during the drop off and pick up times at the nearby school site. In addition, significant concern has also been raised with the development in relation to the junction to the V1 Snelshall Street, which at peak times experiences congestion.
- 7.28 It is acknowledged that the locality, particularly at peak times, does experience congestion which is associated with the adjacent uses. However, whilst these are existing issues with the immediate highway network in terms of congestion. It is not considered reasonable in planning terms for a new development to remedy an existing issue, and as such the pertinent assessment in this case is whether the development as proposed would exacerbate the existing highway issues.
- 7.29 When making this assessment it is noted that The Council's Highways Officer has been consulted as part of the application and has raised no objections to the impact of the proposed development on the nearby highway network. The submitted information as previously indicated refers to visitation numbers on peak days to be 65 – 95 visitors with an anticipated peak within the day at 47 visitors at a given time. Whilst it is acknowledged that the peak visitation will be between 1830 and 2000 hours when events take place at the adjacent Pavilion, given that there is on-site parking to facilitate this demand, on balance officers consider that the development during typical anticipated operation will not in itself exacerbate the existing issue on the highway network.
- 7.30 When considering the occasions where there is an increase in visitation to the site, particularly during religious festivities. It is considered that with a suitable travel plan in place, details of which are to be approved, these measures will assist with mitigating the impact of the development upon the highway network. Whilst no details of this have been provided thus far, a suitably worded condition requiring such details has been secured. Officer's consider that on balance with this condition attached, whilst some associated traffic generation may occur during peak times, the

development in itself, with suitable parking provision in accordance with the council's adopted standards, is considered to be acceptable in this regard.

### *Parking Provision*

- 7.31 In accordance with criterion iii of Policy CC2, point 2, and Policy CC3, the proposed development will be required to provide suitable parking arrangements. In making this assessment the Case Officer has, in accordance with Policy CT10, assessed the parking requirement of the site. The policy position as set out within Plan:MK is that all new developments are required to meet the Council's Parking Standards unless mitigating circumstances dictate otherwise. The site, as an out of centre location is located within Zone 3 of the defined zones as set out in the adopted Parking Standards SPD (2016). A summary of the parking requirements and provision is shown within the table below:

<b>Use Class</b>	<b>Area (Sq. m)</b>	<b>Parking Standards Requirement - Zone 3</b>	<b>Provided</b>
Place of Worship (D1h) seated assembly	238 sqm	1 space per 10 sqm (23.8)	24
Place of Worship (D1h) ancillary rooms	686 sqm	1 space per 22 sqm (31.1)	31
	<b>Site Total</b>	<b>55 spaces</b>	<b>55 spaces</b>

- 7.32 It is acknowledged that there have been a considerable number of public representations, in addition to representations from Shenley Brook End and Tattenhoe Parish Council and Cllrs Brown and Lancaster, expressing concerns over the incompatibility of the proposed place of worship/community facility given the absence of sufficient car parking provision for the site. There is a strong view within the consultation that the development is unacceptable in principle given the lack of parking, in addition to not being in accordance with Policy CT10, on the basis that the parking provision is unsuitable.
- 7.33 It is acknowledged that the number of attendees detailed within the submitted documentation, in particular the Design and Access Statement and the Travel Strategy, refer to numbers of attendees to the site as being up to 300 on peak days (on at least three times per year). However, when considering the parking requirement for the site, the Local Planning Authority is only obliged to require all developments to meet the Council's Parking Standards. In this case, based on the floor area there is a total requirement of 55 parking spaces, which in this case is delivered in full. The proposed development therefore accords with Policy CT10 of Plan:MK and is considered to be acceptable. The Case Officer also takes the view that given the parking requirement for the site is delivered, the proposal also meets the requirements of Policies CC2 and CC4 in providing sufficient parking arrangements.

- 7.34 Within the comments received on this application it has been put forward that a different parking standard should be applied to the site. However, the Local Planning Authority is required to determine the application as submitted, and in accordance with the Council's adopted Parking Standards. This requirement is calculated on the floor space of the use class and total area. Officers therefore consider that it would be unreasonable in planning terms for the Local Planning Authority to require any additional parking requirement beyond the adopted standards. There would be no justification in policy terms to do this. Officers are therefore of the view that securing the parking, to be laid out and provided prior to first occupation, in accordance with the adopted standards, is acceptable. In conjunction to this, details of a Travel Plan to deal with the traffic caused by the day to day running, and the more infrequent larger scale events at the site, can be secured by condition.
- 7.35 From the Case Officer's site inspection (on 9<sup>th</sup> March at 15.20) and submitted photographic evidence it is evident that the locality has a pre-existing on street parking issue during the school pick-up period and during peak usage times for the Pavilion, with there being very limited highway capacity during these periods. Within any travel plan assessment, consideration will be given to the existing issues within the locality and whilst consideration will be given to minimise the impact in the existing peak times, it should be noted that the Travel Plan is unlikely to rectify the existing parking issue. However, as previously indicated it is not considered reasonable, or indeed lawful, to require this planning application to address existing shortfalls of the parking issues within the vicinity. The Travel Plan will however be required to demonstrate that there will not likely be a further adverse impact as a result of the development.
- 7.36 Given the above assessment the development as submitted is considered to be acceptable in accordance with the aforementioned policies, with requiring the car parking to be implemented and laid out prior to the first occupation of the development, and a comprehensive Travel Plan secured.

#### *Cycle Storage*

- 7.37 In accordance with Policy CT3 of Plan:MK the development is also required to provide sufficient cycle storage provision within the site for the use of both visitors and staff. Within the Parking Standards SPD there is no defined standard against a D1 Use Class. However, the Highways Officer has been consulted and has indicated that 'the general standard of 1 space per 100 sq. m, plus 1 space per 10 members of staff should be applied. It is therefore considered that the proposed 12 cycle parking spaces, 9 for visitors and 3 for staff is considered to be acceptable and in accordance with the aforementioned policies. The details and implementation of the cycle storage provision has been secured via condition.

#### *Electric Vehicle (EV) Charging Points*

- 7.38 Policy CT6 requires all new development proposals to provide Electric Vehicle (EV) charging points in accordance with the adopted standards. As submitted the 55 space car park includes one Electric Vehicle Charging Point, this represents a shortfall of one space of the requirement. As submitted no details have been included as to the technology proposed within the site for the EV charging point. In this case

the wording of the condition requires the EV points to be provided in accordance with the adopted standards, alongside the details to be secured, implemented and retained thereafter. With this condition attached the application is considered to be in accordance with Policy CT6 of Plan:MK (2019).

### Design & Character

- 7.39 Paragraph 127 of the NPPF states that planning decisions should ensure that development proposals will add to the quality of the locality in terms of design by being visually attractive, with an appropriate layout, complimented by landscaping, all of which should cumulatively seek to create a sense of place. These design aims are embedded within Design Policies D1 to D3 of Plan:MK, which seek to ensure development proposals exhibit a positive sense of character and respond the site features and the locality.
- 7.40 In this case the proposed development seeks to use recycled shipping containers as the main structure for the scheme. Within the consultation a large number of objections, including within the petition, have been received as to the overall design of the building. Concerns in particular focus on the use of the proposed construction materials in the form of the shipping containers, and that their use will detract from the character of the locality which predominantly consists of conventional brick constructed dwelling houses. The design, in conjunction with the location towards Holborn Crescent, Fife Court, Benacre Croft and the rear of dwellings within Eastoke Place.
- 7.41 In making the assessment of the impact of the proposals upon the locality, the design does mark a departure from the existing built form. However, the adjacent Tattenhoe Sports Pavilion is of a more contemporary design in comparison to the surrounding dwellings. Weight has been given to Policy D2 which states that; 'where there is no positive built form character on the site or surrounding area, new development is designed to create its own distinctive character or sense of place using existing site features, the layout of the development and appearance of buildings'. The locality, as existing, is considered to have a mixed character, although as previously indicated is predominantly defined by dwellings. However, given that the site is not subject to any overarching constraints, there are less limited restrictions which could curtail the appropriateness for innovative design. As such, it is considered that the innovative design is in accordance with the aforementioned design policies in terms of the materials.
- 7.42 Consideration has also been given to the scale of the proposed development. From Holborn Crescent the building itself will appear elevated, set above the pavement by approximately 1.8m, to the front of the building will be a grass sloped area with an incline of approximately 20 degrees. The overall height of the main building totals 6.108m, with the spire located towards the rear of the site extending to 12.410m. The overall scale of the building is not considered to be overbearing in terms of the bulk, height and massing. Whilst the spire would be more visually prominent given the height, the modest design and slimline scale of the spire would not result in a significantly bulky addition to the roofscape and surrounding skyline and, as such, is deemed to be acceptable in design terms.

- 7.43 With regards to the site layout, the plans indicate that the building will be located to the south west of the site on the St Agnes Way/Holborn Crescent junction, with the parking area located to the rear of the application site. The site omits the existing landscaped area within the parcel of land off Holborn Crescent to the south east, and does not interrupt the northern boundary between the application site and Tattenhoe Sports Pavilion, which also lies outside of the redline boundary. The layout appears conventional with access points from St Agnes Way which include both stepped and level-accessible access. It is considered by officers that the retention of greenspace within the site will also assist with mitigating the impact of the development upon the locality.
- 7.44 The Council's Urban Design Officer has been consulted and has raised no objections to the proposals. In particular, acknowledgement has been made that 'public buildings including religious buildings should be memorable features in the townscape that relate to their location and use'. The Urban Design Officer has expressed support of the innovative design approach to the proposed building which incorporates modern methods of construction. Whilst supportive overall, the Urban Design Officer has suggested that the external finishes of the building be secured via condition in order to ensure it is of high quality and reflects a piece of architecture, as opposed to a painted culmination of shipping containers. The Urban Design Officer has expressed that this proposal appears to achieve this by creating its own identity. In any case, all of the external finishes of the building can be secured via condition, which are to be agreed by the Local Planning Authority prior to the commencement of development above slab level. It is noted that within the Parish Council's consultation response, strong concerns remain within the Parish as to the design. However, subject to the materials Shenley Brook End and Tattenhoe Parish Council have indicated that 'provided that the materials used can be shown to be durable and stand the test of time without deterioration, then the unusual building characteristics are a feature that should not lead to refusal on design grounds'.
- 7.45 Further comments made by the Urban Design Officer relate predominantly to the external landscaping and trellis to the elevations, with the proximity of the trellis to the windows risking the internal light levels of the building. No details of the planting species have been submitted as part of this application. However, with landscaping details secured via condition, an assessment can be made in consultation with the Landscape Architect to ensure that planting species used are non-invasive.

#### Crime Prevention

- 7.46 Part 4 of Policy D1 states that the layout should maximise surveillance of the public realm, and prevent both crime and the increased perception of crime. This is consistent with Paragraph 91 of the NPPF. The Crime Prevention Officer has been consulted and, whilst no formal objection has been raised to the development as submitted, a number of comments have been made in relation to suggested amendments to the site layout to reduce the risk and perception of crime in accordance with the aforementioned policies.
- 7.47 It is acknowledged that the Crime Prevention Officer has commented that there is no detailed landscaping or boundary treatment plan within the full submission, although indicative layouts have been provided. As previously indicated the full details of the

landscaping scheme can be secured via condition. As submitted, no hard fenced boundary treatments have been proposed, but instead landscaped boundaries will form around the perimeter of the site. This includes the use of existing landscaping to the north and south east, with a semi mature hedgerow appearing to form the south eastern boundary. It is considered that such boundary treatments are on balance acceptable with a suitable lighting scheme which will reduce the risk and perception of crime through active surveillance, particularly along pavements around the application site.

- 7.48 The Crime Prevention Officer has also commented on the overall site layout and has referred to the residential unit having a direct relationship with the shared external area. This is duly noted by the Case Officer and an informative has been appended to the end of the conditions advising suitable provisions be made within any forthcoming landscaping plan secured via condition. In addition, reference has also been made to the use of CCTV within the site, whilst the specific locations of CCTV units have not been included within the application, these details have been secured via condition. A further informative has also been appended strongly advising CCTV be included to the north of the site within the car park to reflect the Crime Prevention Officer's comments.
- 7.49 It is also noted that the Crime Prevention Officer has also commented on the requirements of the external and emergency doors. Such considerations fall out of the scope for the planning application, however such details will be required as part of building regulations, should planning permission be granted. Overall, with the aforementioned conditions and informative appended to the decision it is considered that the development is in accordance with the aforementioned policies and is acceptable.

#### Heritage & Archaeology

- 7.50 It is noted that the site lies within an archaeological notification site, although there are not deemed to be any designated heritage assets within the vicinity. In accordance with Policy HE1 and the statutory requirements under the Planning (Listed Buildings and Conservation Areas) Act 1990, the Archaeological Officer has been notified and consulted on the application.
- 7.51 After assessing the proposal against the known archaeological resource, as contained in the MK Historic Environment Record (HER), the Archaeological Officer has concluded that although it is within a Heritage Interest Area, the proposed development itself is not regarded as being of significant potential archaeological impact. As such it is unnecessary to conduct any pre-determination archaeological investigation nor is an archaeological condition in respect of the site required.

#### Residential amenity

- 7.52 Policy D5 of Plan:MK requires all new development proposals to not cause an adverse impact on the amenity of nearby residents or occupiers, or indeed future occupiers of the application site.

- 7.53 There has been a large number of objections in relation to associated noise with the development, as previously indicated within the principle of development section. In accordance with Policy EH7, which relates to noise, the submitted noise assessment indicates that the development will not result in significant noise generation which would cause harm to the amenity of nearby residents, and with the hours of operation secured by condition. Therefore, there are not considered to be significant noise impacts caused by the proposed development.
- 7.54 Within the consultation there has been concern as to the resultant odours generated from cooking facilities within the site. As submitted there have been no details provided in relation to any external extraction equipment being provided within the site. It is likely in any case that any flues, which are not detailed within the plans would require further consent. Should any forthcoming applications propose extraction equipment, during the application process environmental health colleagues will be consulted and a specification for extraction and filtration systems would be secured as part of the consent.
- 7.55 Consideration has also been given to the overall scale, bulk and mass of the proposed development. The building itself, at approximately 6.2m, is lower in height than a typical two storey dwelling. It is also located away from the eastern boundary which has a closer relationship with neighbouring dwellings immediately to the east of the site. As a result there is a separation distance between the development and the nearest residential dwelling to the east of 57m, with a separation distance of 59m to the west. This is in excess of the adopted rear to rear separation distance guideline as presented within the Council's adopted Residential Design Guide SPD (2012). Given the scale of the building in terms of massing and the separation distance, the application is deemed to be acceptable in this regard.
- 7.56 With the associated works on site, there will be a laid car park consisting of both gravel and tarmac surfacing. Due to increased operations on the site over the existing use, as an area of grassland, there will be an increase in noise levels above the existing, which will have some impact on background noise for nearby dwellings. However, within the context of the locality, with Tattenhoe Sports Pavilion to the north and the set back from nearby dwellings, alongside the hours of operation, these factors cumulatively mitigate against an adverse impact upon nearby residents.
- 7.57 Within Policy D5 is the requirement for suitable amenity space for developments. Whilst the site is host to one ancillary residential unit, the provision of an area of amenity open space ancillary to the site has been included within the development. The Crime Prevention Officer raised concerns over the isolated feel of one of the benches proposed. However, revised plans have since been submitted which removes this bench and creates a seating area immediately to the rear of the building which benefits from passive surveillance.

### Ecology

- 7.58 Policy NE2 of Plan:MK seeks to ensure that development proposals do not cause an adverse impact upon statutorily protected species. New development proposals should also achieve a net gain in biodiversity in accordance with Policy NE3. In this instance the planning application has been supported by a Preliminary Ecological

Appraisal (PEA). Within the PEA it is noted that the site is considered to be low ecological value, partly due to the laid grassland and species-poor hedgerows.

- 7.59 However, within the PEA there are acknowledged to be a potential for breeding birds within the northern hedgerows. It recommends that any works likely to affect any trees or hedgerows be taken outside of the breeding season (September to February) inclusive, with inspections undertaken of the site prior to works taking place.
- 7.60 With regards to the presence of Great Crested Newts, whilst there are watercourses located within 250m of the site, the conditions for Great Crested Newts within the site are considered to be sub-optimal given the maintained nature of the site, and as such are considered unlikely to be undermined by the proposed development.
- 7.61 In accordance with Policy NE3, the PEA recommends a series of measures which will enhance ecology on site and mitigate against the loss of low-quality grassland. Included within the off-setting measures include a planted buffer to the east of the site, details of which are secured via the landscaping condition, the replacement of the Laurel Hedge in place of native trees, alongside the planting of wildflowers. Further measures include the installation of bird nesting boxes, hedgehog boxes and invertebrate houses. In order to secure these details the recommendations of the PEA have been secured via condition alongside a plan to be submitted to the Local Planning Authority detailing the ecological mitigation layout plan, with this condition attached the application is considered to be in accordance with Policies NE2 and NE3 of Plan:MK (2019).

#### Drainage & flood risk

- 7.62 Policies FR1 and FR2 of Plan:MK require all new development to incorporate sustainable urban drainage systems to ensure that flood risk is not increased off-site. It is noted in this case that the site is located within flood zone 1 and is therefore considered to be of the lowest risk of flooding.
- 7.63 The Local Lead Flood Authority raised initial concerns that no information had been provided on how surface water will be managed and drained on the site.
- 7.64 Additional drainage information has since been received and from the information submitted it is noted that the applicants are proposing a surface water discharge at a rate of 1 l/s. There is also attenuation across the site including storage to the north of the site. Permeable surfaces will also be used within the site, including within the car park, these measures are all considered to be acceptable in principle.
- 7.65 The LLFA has also indicated that it is supportive of the 'use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment. Furthermore, the applicant has sought to incorporate above ground attenuation in preference to below ground attenuation'. However, the LLFA have noted that the drainage scheme remains incomplete as details in relation to the maintenance and management plan. However, these details can be secured by way of a condition. With this condition attached the Case Officer considers that the

development is in accordance with the aforementioned policies and the development is therefore acceptable in this regard.

#### Sustainable construction

- 7.66 Policy SC1 of Plan:MK requires all new development proposals to meet the sustainable construction principles as set out within the policy. Details required relate to the use of renewable energies/energy and climate, water consumption, materials and waste.
- 7.67 The development in this case does not meet the trigger within Part K of Policy SC1 to provide a contribution to the Council's Carbon Offset Fund, as the built area is below 1,000 sq. m. However, compliance with other criteria within the policy is still required. As submitted, there are no details provided as to how the proposed development will accord with the sustainable construction policies. A sustainability statement detailing how the proposal will meet the relevant principles. This can be secured via condition and the statement would need to be submitted ahead of the commencement of development above slab level. With this condition attached the development is deemed to be in accordance with Policy SC1 of Plan:MK and is therefore acceptable in this regard.

#### Other matters

##### Consultation Process

- 7.68 There has been a large number of representations received objecting to the proposed development on the basis of the lack of consultation. The concerns relate in part to the determination period within a time where social distancing measures restrict public meetings. Shenley Brook End and Tattenhoe Parish Council have indicated that additional consultation opportunities should be provided by the applicant to publicly examine the application, and until such time where this can be accommodated, the application should not be determined.
- 7.69 The Local Planning Authority, in accordance with Council Guidelines and National Planning Policy Guidance advocates public engagement within the planning process, in particular in relation to developer led public engagement. However, the Local Planning Authority is unable to obligate applicants to undertake additional consultation exercises.
- 7.70 In this case details of external consultation have been included within the application. These exercises took the form of a leaflet drop of approximately 250 flyers through letter boxes of neighbouring residents, alongside two consultation open evenings, one of which on 21<sup>st</sup> November 2018 and saw 20 attendees, and the second evening on 12<sup>th</sup> February 2019 which had approximately 50 attendees, although both are noted to be in excess of one year ago. However, as part of the statutory planning process, the Local Planning Authority has undertaken its statutory obligation to write directly to neighbouring properties, alongside interested parties whom made representation on the last application and has displayed site notices around the application site. This consultation meets the requirements of relevant legislation.

7.71 It should also be noted that all consultees and interested parties have been re-consulted on amended plans.

## **8.0 CONCLUSIONS**

8.1 In conclusion, the application as submitted seeks to create a new place of worship/community facility which is supported in principle within both the NPPF and Plan:MK. Whilst it is acknowledged that the site is located outside of the defined town, district and local centres, the proposals are considered to meet the required criterion as presented within principle policies CC2 and CC4 of Plan:MK.

8.2 In relation to the parking and highways implications of the development, it is considered that the applicants meet the required parking standards, as defined within the adopted Parking Standards SPD (2016), in full. A suitable condition, securing details of the travel plan prior to the first occupation of the development, is considered to be an appropriate and proportionate solution to reducing the impact of the development upon the nearby highway network at both peak times and during events during the year.

8.3 The proposed development is deemed to be acceptable, and in accordance with the adopted local development plan in all other respects, subject to the conditions as set out at the end of this report.

## **9.0 CONDITIONS**

1. The development hereby approved shall be carried out in accordance with the following drawings/details:

Existing Location Plan. Drawing 001. Dated 07/03/2019. Received on 3<sup>rd</sup> March 2020

Site Plan Proposed. Drawing 1020. Revision D. Dated 18/08/2020. Received on 19<sup>th</sup> August 2020

Ground Floor Plan Proposed. Drawing 1100. Revision A. Dated 18/08/2020. Received on 19<sup>th</sup> August 2020

North and West External Elevations. Drawing 1880. Revision B. Dated 18/08/2020. Received on 19<sup>th</sup> August 2020

East and South External Elevations. Drawing 1890. Revision A. Dated 18/08/2020. Received on 19<sup>th</sup> August 2020

Access Plan Proposed. Drawing 1025. Revision A. Dated 18/08/2020. Received on 19<sup>th</sup> August 2020

Design & Access Statement (Revised). Dated August 2020. Received on 19<sup>th</sup> August 2020

Roof Plan Proposed. Drawing 1130. Revision A. Dated 07/03/2019. Received on 3<sup>rd</sup> March 2020

Sections AA & DD Proposed. Drawing 1210. Dated 07/03/2019. Received on 3<sup>rd</sup> March 2020

Sections BB & EE Proposed. Drawing 1220. Dated 07/03/2019. Received on 3<sup>rd</sup> March 2020

Section CC Proposed. Drawing 1230. Dated 07/03/2019. Received on 3<sup>rd</sup> March 2020

Combined Drainage. Drawing RA-1789-SK 02 REV A. Dated 25/08/2020. Received on 16<sup>th</sup> September 2020

Stormwater SUDs and Attenuation Strategy. Drawing RA-1789-SK-01 REV A. Dated 25/08/2020. Received on 16<sup>th</sup> September 2020

Travel Strategy – Shirdi Saibaba Temple & Community Hall Milton Keynes. Version 1.0. Revision A. Received on 3<sup>rd</sup> March 2020

Preliminary Ecological Appraisal. Version 001. Dated 24/07/2019. Received on 3<sup>rd</sup> March 2020

Tree Survey and Arboricultural Impact Assessment Report. Reference 1759 SAW\_R.F01. Dated 30/11/2017. Received on 3<sup>rd</sup> March 2020

Noise Impact Assessment. Reference RE01-19176. Revision 1. Dated 27<sup>th</sup> September 2019. Received on 3<sup>rd</sup> March 2020

Reason: To define the permission for the avoidance of doubt and in accordance with best practice guidance set out in paragraph 022 of the National Planning Practice Guidance.

2. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

3. The use of the D1 aspects of the premises shall not be carried out outside the hours of 0800; to 2100 Monday to Sunday inclusive.

Reason: To prevent harm being caused to the amenity of the area and to safeguard the residential amenity of nearby occupiers in accordance with Policy D5 of Plan:MK (2019).

4. No development shall take place above slab level until a Schedule of the external materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority. The Schedule shall include detailed specification, photo examples, RAL numbers and/or samples, as appropriate. The development shall thereafter be carried out in full accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that the development does not detract from the character and appearance of the area in accordance with Policies D2 and D3 of Plan:MK (2019).

5. No building or use hereby permitted shall be occupied or the use commenced until a full Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling in accordance with Plan: MK Policies CT2 and CT3.

6. No building or use hereby permitted shall be occupied or the use commenced until the vehicular access has been provided and thereafter retained at the position shown on the approved plans. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interests of highway safety in accordance with Policy D1 of Plan:MK (2019).

7. No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with Policies SD1, D1 and CT10 of Plan:MK (2019).

8. Prior to the first occupation of the development hereby permitted, details of two Electric Vehicle Charging Spaces, in accordance with the requirements of the Parking Standards SPD (2016) shall be submitted to and approved in writing by the Local Planning Authority. These spaces shall be implemented prior to first occupation and retained thereafter.

Reason: To provide sufficient Electric Vehicle charging points in accordance with Policies CT6 and CT10 of Plan:MK (2019).

9. Prior to the first occupation of the development hereby approved details of the proposed bicycle parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the first occupation of the development and shall thereafter be retained for those purposes.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with Policy CT3 of Plan:MK (2019).

10. Prior to the first occupation of the development hereby permitted, details of the Closed Circuit Television system shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the locations of the units within the site alongside the coverage. These details shall be implemented in full prior to first occupation and retained thereafter.

Reason: To minimise the risk and perception of crime in accordance with Paragraph 91 of the NPPF and Policy EH7 of Plan:MK (2019).

11. Notwithstanding the approved drawings, no development shall take place above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials; proximity between street lights and tree planting; pedestrian access and circulation areas; civic space / public park furniture, play equipment, bins etc.; proposed and existing functional services above and below ground such as cables, pipelines, substations. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications (including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme.

Development shall be carried out in accordance with the approved details. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

All hard and soft landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with Policies NE4 and NE5 and Policy D1 of Plan:MK (2019).

12. No development shall take place until a Biodiversity Enhancement Scheme and Management Plan has been submitted to, and approved in writing by the Local Planning Authority. This enhancement scheme must include the recommendations of the submitted Preliminary Ecological Appraisal. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with Policy NE3 of Plan:MK (2019).

13. Prior to the commencement of the development hereby permitted a detailed design, and associated management and maintenance plan, for a foul and surface water drainage scheme, based on sustainable drainage principles for the site shall be submitted to and be approved in writing by the local planning authority. The management and maintenance plan shall include a detailed timetable for the implementation of the foul and surface water drainage scheme. The approved drainage scheme shall subsequently be implemented in accordance with the approved detailed design and in accordance with the approved timetable for implementation and be retained thereafter.

Reason: To ensure satisfactory and sustainable foul and surface water drainage to prevent the increased risk of contamination and flooding on or off site in accordance with Policies FR1 and FR2 of Plan:MK (2019).

14. Prior to the commencement of the development hereby permitted above slab level, a statement detailing how the development shall incorporate measures to minimise waste and energy consumption, thereby reducing the environmental impact of the development shall be submitted to and approved in writing by the Local Planning Authority.

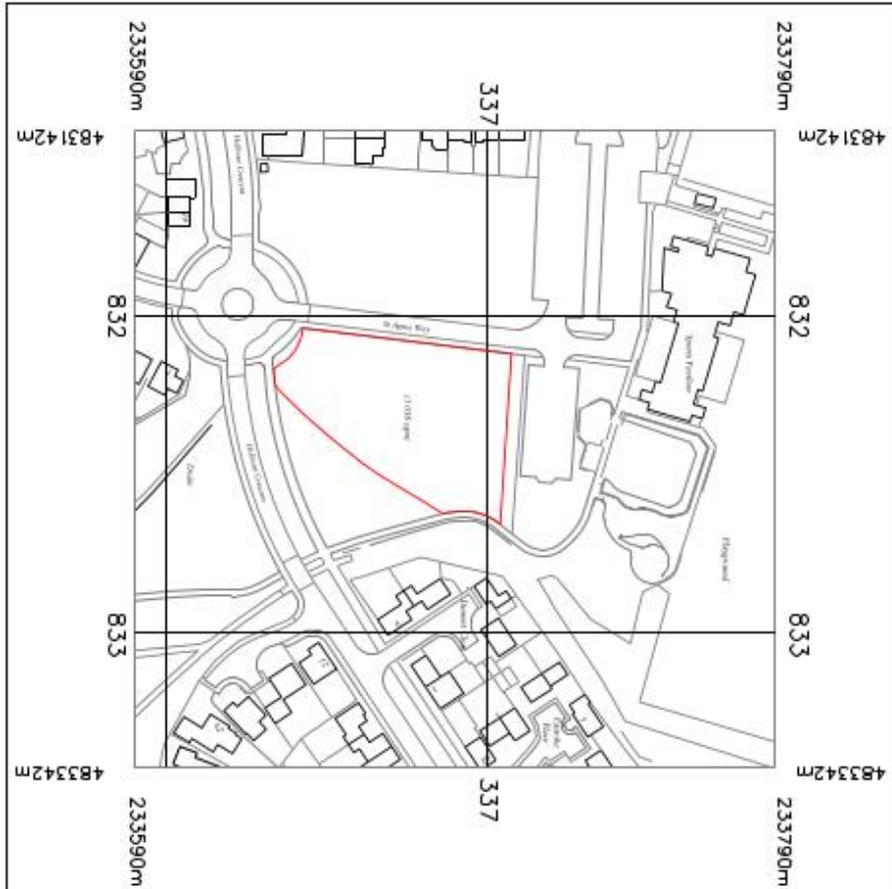
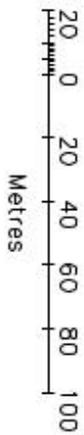
Reason: To ensure that the development minimises waste and accords with the sustainable construction principles as set out in Policy SC1 of Plan:MK (2019).

15. No building or use hereby permitted shall be occupied or the use commenced until a lighting plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the development or the commencement of the use and shall be subsequently retained in that form thereafter.

Reason: To ensure that there is adequate lighting within the vicinity which minimises the risk and perception of crime in accordance with Policy EH7 of Plan:MK (2019).

# Site Location Plan

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Project:  
**New Shri Shirdi Sai Baba Temple and Community Hall**  
 St Agnes Way, Tazewell, Milton Keynes

## EXISTING LOCATION PLAN (OS)

Page / Number	Drawing Number	Scale	Revision	Date	Author
562	<b>0001</b>	1 : 625 1 : 1250	Planning	07.03.19	

**S C A B A** LTD  
 25 Flaxton Garden, London EC1N 8EQ, UK  
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 e: info@sabaford.com

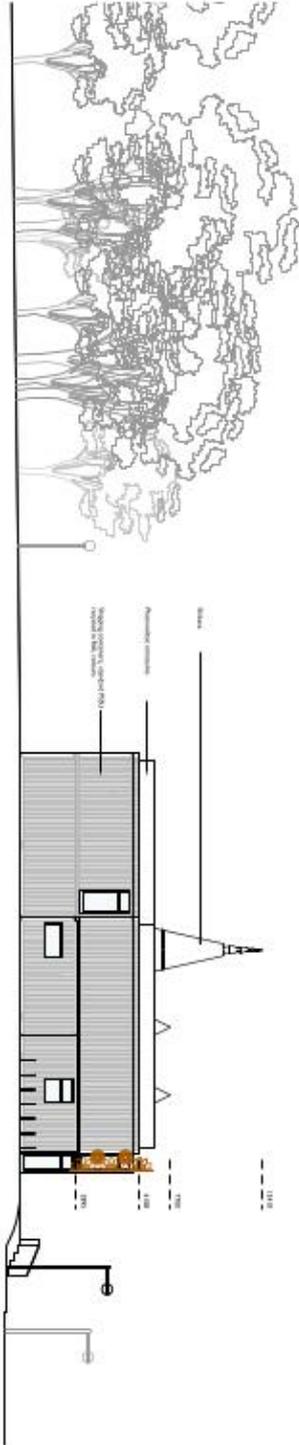


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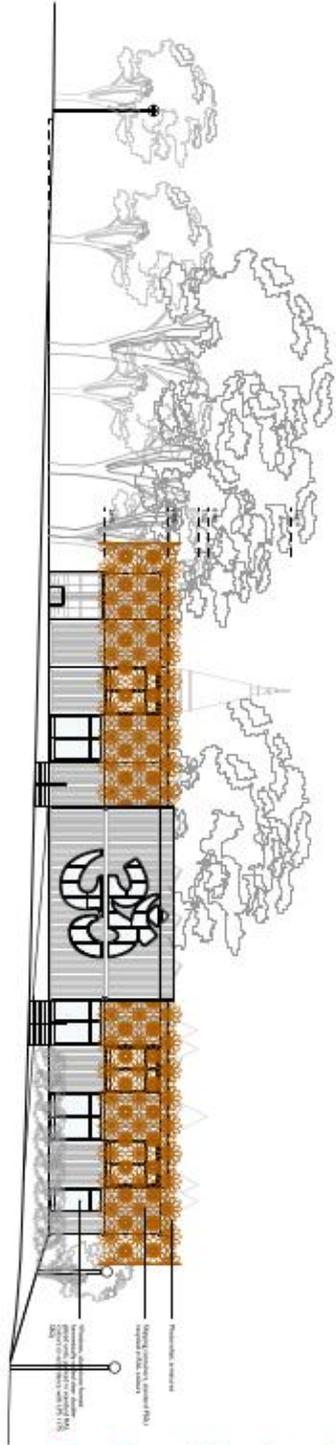
# Site Plan (Proposed)



North Elevation



West Elevation



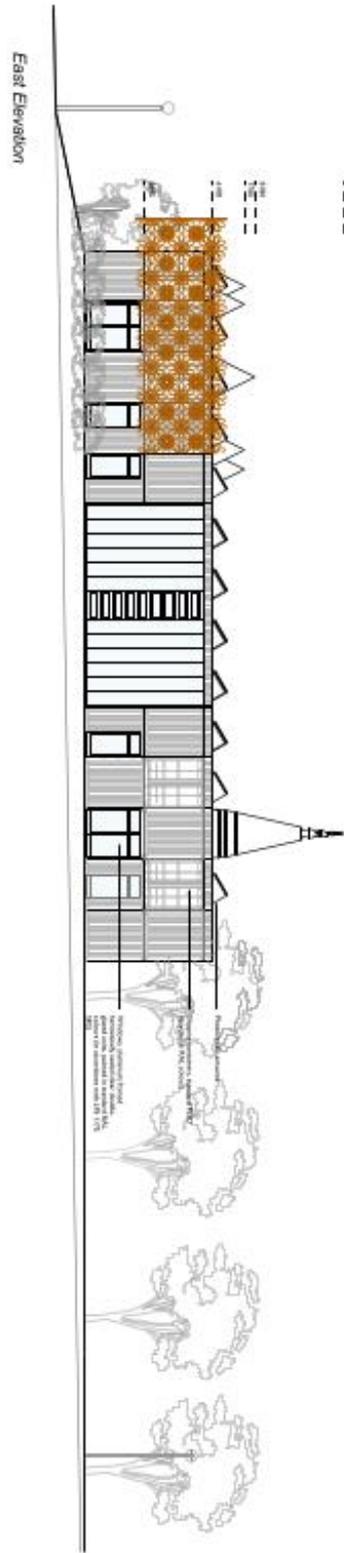
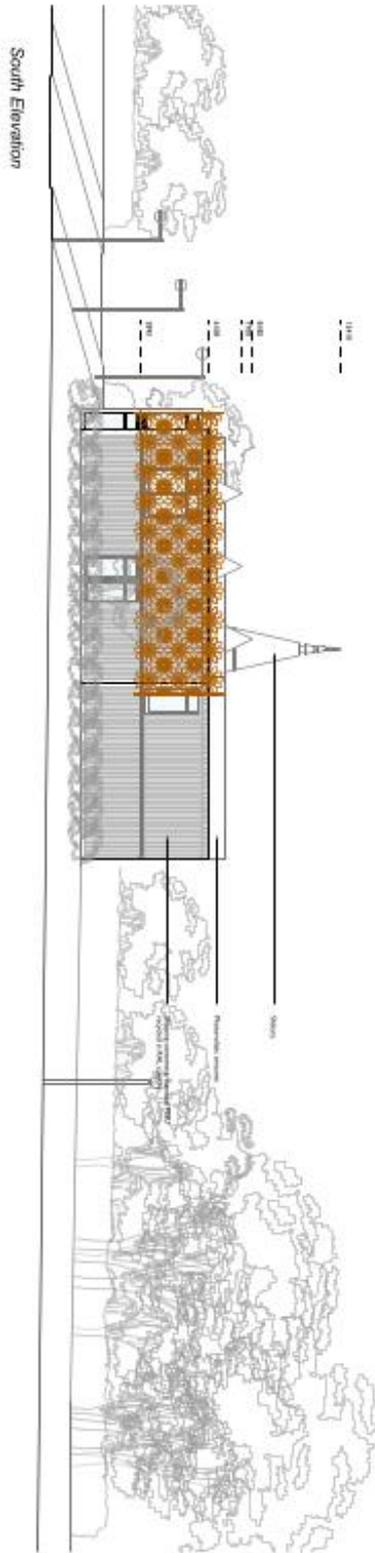
**New Shri Shirdi Sai Baba Temple and Community Hall**  
 20, Agave Way, Salsburgh, H20 2A, London

**WEST & NORTH EXTERNAL ELEVATIONS PROPOSED**

Project Number	Building Number	Scale of Plot	Scale	Revision	Date	Revision Description
562	<b>1880</b>	1 : 100	Planning	<b>B</b>	18.08.20	
		1 : 200				

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Project  
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 St Agnes Way, Salford, Greater Manchester

Drawn by

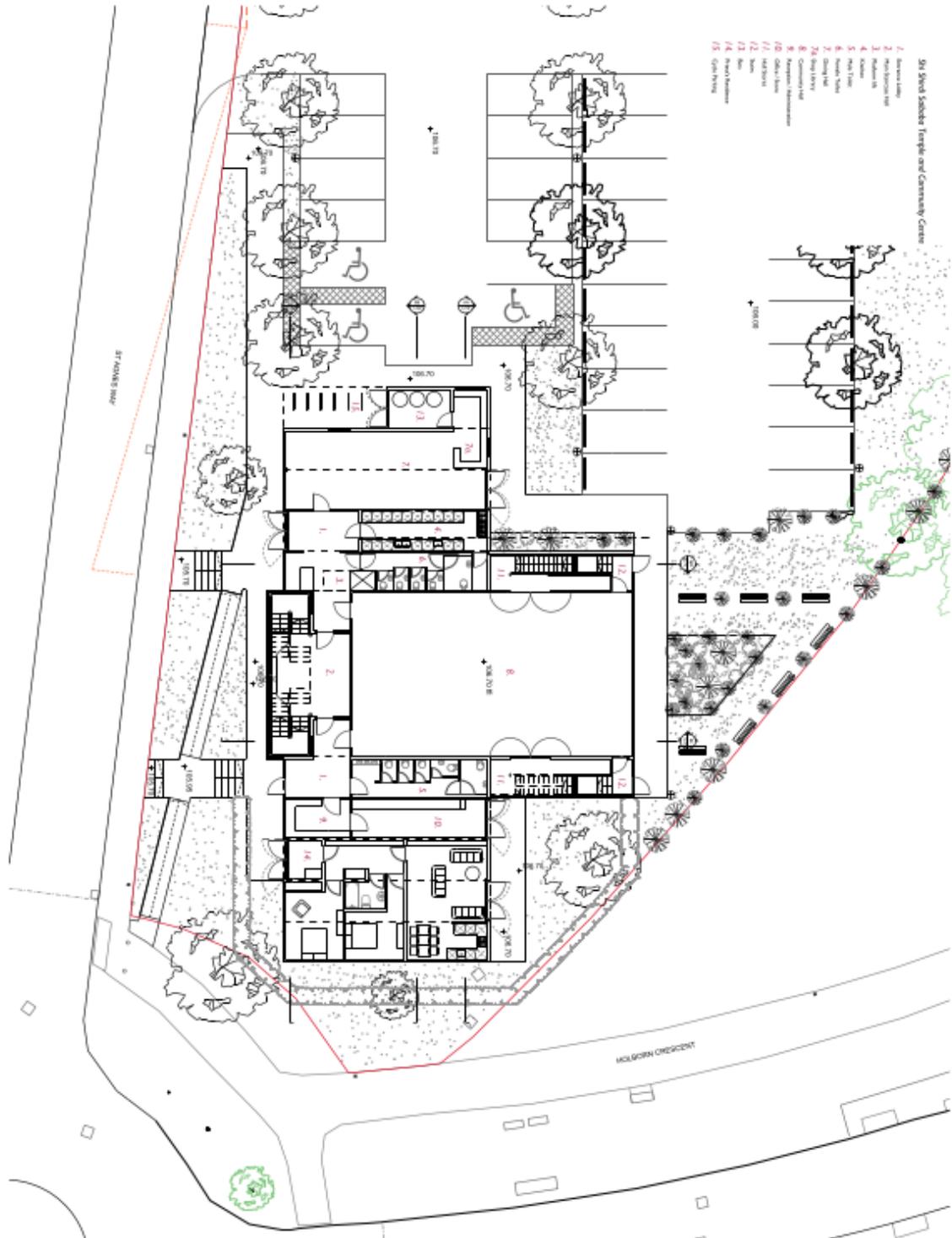
**EAST & SOUTH EXTERNAL ELEVATIONS PROPOSED**

Picture Number	Quantity Number	Scale (R/S)	Status	Revision	Date	Revision Description
562	<b>1890</b>	1 : 100 1 : 200	-	<b>A</b>	18.08.20	

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**Ground Floor Plan**



- Shri Shirdi Sai Baba Temple and Community Centre
1. Reception
  2. Waiting Area
  3. Office
  4. Kitchen
  5. Wash Room
  6. Prayer Hall
  7. Prayer Hall
  8. Community Hall
  9. Reception
  10. Office
  11. Office
  12. Parking
  13. Parking
  14. Parking
  15. Open Area

Project:  
**New Shri Shirdi Sai Baba Temple and Community Hall**  
 St. Agnes Way, Tadworth, Middlesex

**GROUND FLOOR PLAN PROPOSED**

Project Number	Drawing Number	Scale (A1)	Status	Revision	Date	Revision Note
562	<b>1100</b>	1:100 1:200	Planning	A	18.08.20	



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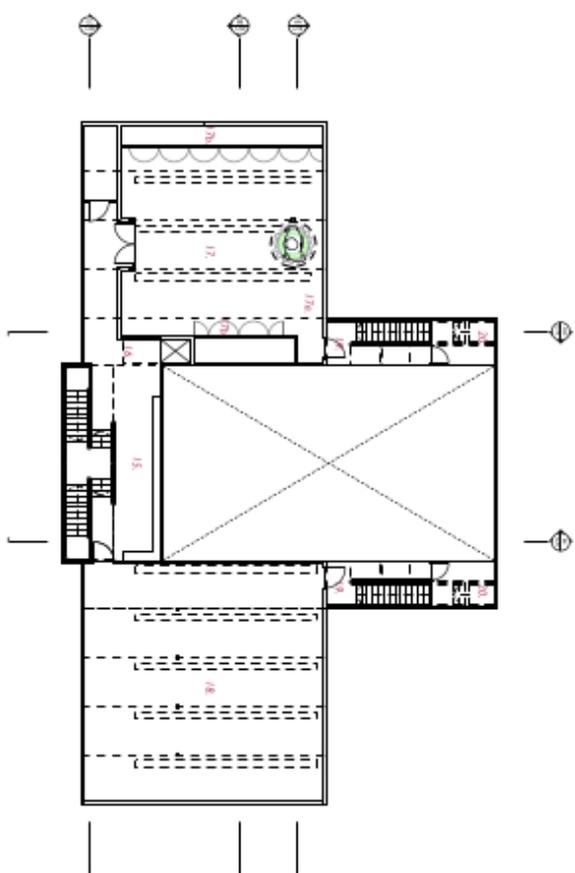


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First Floor Plan

Shri Shirdi Sai Baba Temple and Community Centre

- 1.1. Overall layout
- 1.2. Section A
- 1.3. Section B
- 1.4. Section C
- 1.5. Section D
- 1.6. Section E
- 1.7. Section F
- 1.8. Section G
- 1.9. Section H
- 1.10. Section I
- 1.11. Section J
- 1.12. Section K
- 1.13. Section L
- 1.14. Section M
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- 1.91. Section CL
- 1.92. Section CM
- 1.93. Section CN
- 1.94. Section CO
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- 1.135. Section ED
- 1.136. Section EE
- 1.137. Section EF
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- 1.141. Section EJ
- 1.142. Section EK
- 1.143. Section EL
- 1.144. Section EM
- 1.145. Section EN
- 1.146. Section EO
- 1.147. Section EP
- 1.148. Section EQ
- 1.149. Section ER
- 1.150. Section ES
- 1.151. Section ET
- 1.152. Section EU
- 1.153. Section EV
- 1.154. Section EW
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- 1.156. Section EY
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- 1.160. Section FC
- 1.161. Section FD
- 1.162. Section FE
- 1.163. Section FF
- 1.164. Section FG
- 1.165. Section FH
- 1.166. Section FI
- 1.167. Section FJ
- 1.168. Section FK
- 1.169. Section FL
- 1.170. Section FM
- 1.171. Section FN
- 1.172. Section FO
- 1.173. Section FP
- 1.174. Section FQ
- 1.175. Section FR
- 1.176. Section FS
- 1.177. Section FT
- 1.178. Section FU
- 1.179. Section FV
- 1.180. Section FW
- 1.181. Section FX
- 1.182. Section FY
- 1.183. Section FZ
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- 1.187. Section GD
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- 1.198. Section GO
- 1.199. Section GP
- 1.200. Section GQ
- 1.201. Section GR
- 1.202. Section GS
- 1.203. Section GT
- 1.204. Section GU
- 1.205. Section GV
- 1.206. Section GW
- 1.207. Section GX
- 1.208. Section GY
- 1.209. Section GZ
- 1.210. Section HA
- 1.211. Section HB
- 1.212. Section HC
- 1.213. Section HD
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**New Shri Shirdi Sai Baba Temple and Community Hall**  
 St Agnes Way, Tattenhoe, MK20 4JH

**FIRST FLOOR PLAN PROPOSED**

Project Number	Drawing Number	Scale (if different)	Status	Revision	Date	Revision Scale
562	<b>1110</b>	1 : 100 1 : 200	Planning	A	07.03.19	

**DRAFT**



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 All drawings to be checked on site prior to commencement of work.  
 Discrepancies between drawings and information to be referred to the contract documents.

**A1.0 FULL CONSULTATIONS AND REPRESENTATIONS**

**A1.1 Shenley Brook End and Tattenhoe Parish Council**

The Parish Council notes that this is a new planning application, following the withdrawal of Planning Application 19/00628/FUL

The Parish Council), having regard for:

- The Application for Planning Permission dated 29<sup>th</sup> February 2020,
- Documents, reports and other related information as provided by the applicant,
- and information supplied by Officers from Milton Keynes Council, Makes the following observations:

Please note that:

- In order to minimize the length of this submission, only the relevant portion of each Planning Policy has been provided. The reader should consult the relevant Policy in order to place our comments in the context of the overall policy.
- The reader should not take the written order of these comments to denote a level of priority – all comments are equally valid and all comments, therefore, should be afforded the same weight of consideration.
- All Planning Policies quoted are taken from either the National Planning Policy Framework (NPPF), current guidance dated February 2019, or from Milton Keynes Council Plan:MK (Plan:MK), as adopted March 2019.

#### **1) Principle of Location:**

##### **A) Plan:MK Policy CC2, Location of Community Facilities:**

*“2. Non-residential community facilities at other locations (should be granted planning permission) if all of the following criteria are met:*

- I. The proposal is accompanied by evidence that demonstrates why it cannot be satisfactorily accommodated at other locations;*
- II. There would be no conflict with existing or potential neighbouring uses;*
- III. The site has adequate parking and access arrangements”.*

The Parish Council is of the opinion that the application, in its current form, fails to demonstrate satisfactory fulfilment of the above criteria.

- The Parish Council is cognisant of the information provided within the 5-page Site Selection Process report and notes, with disappointment, that whilst a comprehensive analysis is given of various Milton Keynes Community Foundation (MKCF) sites, no consideration has been given to and, therefore, no assessment made, of other, non-MKCF, sites located within the Borough of Milton Keynes.
- There is a clear conflict of interest with the adjacent sports pavilion and nearby school, as will be demonstrated later within this submission.
- The Parish Council believes that, despite the attempts at improvement between the previous Planning Application and this new proposal, the arrangements for parking provision remain inadequate, as outlined in more detail later in this response.

##### **B) Plan:MK Policy CC4, New community facilities:**

*“Milton Keynes Council will support development proposals where they:*

- i. Retain and maintain existing facilities which are valued by the community;*
- ii. Improve the quality and capacity of facilities valued by the community; and*

iii. *The site has adequate parking and access arrangements”.*

In common with the withdrawn Planning Application, this new application fails to establish, in the view of the Parish Council, how the proposal, if granted planning permission, would improve the quality of facilities valued by the community – in fact, the Parish Council believes that the scheme would be detrimental to the adjacent sports pavilion, the nearby school and local residents, primarily due to the impact of parking, traffic and congestion, particularly during festivals and special events.

**Conclusion (Principal of Location):**

The Parish Council is of the opinion that the Planning Application fails to meet the criteria within Plan:MK policies CC2 and CC4.

**2) Traffic and Transport:**

**Plan:MK Policy CT2 Movement and Access:**

*“Development proposals will be required to minimise the need to travel, promote opportunities for sustainable transport modes, improve accessibility to services and support the transition to a low carbon future. Development proposals will be permitted that:*

- 1. Integrate into our existing sustainable transport networks and do not have an inappropriate impact on the operation, safety or accessibility to the local or strategic highway networks;*
- 2. Mitigate impacts on the local or strategic highway networks, arising from the development itself or the cumulative effects of development, through the provision of, or contributions towards necessary and relevant transport improvements including those secured by legal agreement;*
- 3. Ensure that development proposals do not prejudice the future development or design of suitable adjoining sites;*
- 4. Provide safe, suitable and convenient access for all potential users;*
- 5. Provide on-site layouts that are compatible for all potential users with appropriate parking and servicing provision in line with the Milton Keynes Parking Standards Supplementary Planning Document (January 2016);*
- 6. Do not result in inappropriate traffic generation or compromise highway safety;*
- 7. Offer maximum flexibility in the choice of travel modes, including walking and cycling, shared transport, and with accessibility for all potential users;*
- 8. Protect and where possible enhance access to public rights of way;*
- 9. Provide a public transport connection to the main points of service provision including nearest district or town centre, or community facilities; and*
- 10. Where possible incorporate the use of shared transport and low carbon “green” travel modes such as electric vehicle charging capacity.”*

The Parish Council, having examined the document supplied by the applicant entitled “Traffic Strategy, Version 1.0 Rev A”, uploaded to MK Council’s website on 20<sup>th</sup> March 2020, remains unconvinced that the proposals therein will mitigate the negative impact of the increase in traffic movements that will be generated by the use of this facility. In particular, the Parish Council is of the opinion that the increase in traffic will have an inappropriate impact on the operation, safety & accessibility of the local highway network as there will be significant conflict between traffic for local residents, the sports pavilion and the local school. Furthermore, there will be an

increased risk to the health and safety of children and their parents / carers associated with an escalation of traffic movements generated by the proposed facility (see also Policy CT2, item 1). This is particularly applicable during Festivals and Special Event days. Additionally, the Parish Council would point the reader to two items on page 3:

- a) The introduction at 1.2, states *“The need for (a) travel strategy is due to growing concern over...increased congestion associated with the ‘temple run’”*, BUT no admission is made of, nor consideration given to, the congestion that will be caused at Festival times and at weddings and celebrations and other special events! Simply modelling a Traffic Strategy on the so-described ‘temple run’ WITHOUT making proper provision for the possibility of the many envisaged special occasions when celebrants, numbering in excess of 200 individuals, makes the Strategy incomplete and, therefore, has limited value when assessing the traffic problems that these events will undoubtedly cause. On page 8 of the Travel Strategy, there is the admission that *“During these significant occasions, approximately 250 – 300 visitors may visit the temple between 08.00 to 20.30”*.
- b) At the foot of page 3, the document states *“...will look out for outcomes...which suit the temple...”*. The document, therefore, by its own admission, does not cover one of the main purposes of any Travel Strategy, which is to mitigate problems and issues caused by the development to the local, indigenous population!

### **Conclusion (Traffic and Transport):**

The Parish Council takes the view that the Planning Application fails to meet the criteria within Plan:MK policies CT2 and the Transport Strategy remains incomplete.

### **3) Parking provision:**

#### **Plan:MK Policy CT10 Parking Provision:**

*“Development proposals should meet the following parking requirements:*

- 1. All development should meet the Council’s full parking standards, unless mitigating circumstance dictate otherwise.*
- 2. On-site parking should not be reduced below the Council’s full expectations if this would increase additional pressure in off-site parking that could not be resolved by on-street parking controls”.*

When making a direct comparison with the withdrawn application, the Parish Council recognises the increase in parking provision. Furthermore, the Parish Council acknowledges the work undertaken by Stirling Maynard Transport, on behalf of MK Council, in their two-page report dated 19<sup>th</sup> March 2020. The Parish Council, however, believes that, whilst the report expresses a view that the *“application complies with the Council’s parking standards...”*, it fails to demonstrate any understanding of the levels of parking required for Festivals, Special Events, Weddings and Feasts. As has already been verified, by their own admission, the applicant fully expects there to be celebrants numbering between 250 and 300 people. The report, in no manner, shows how it will be possible for only 55 parking spaces to accommodate a minimum of 250 individuals! Even if every vehicle contained four persons, the requirement for parking will still exceed the proposed provision! The Parish Council believes that the consequences of this lack of parking provision will be an ‘overspill’ into the nearby residential streets.

The Parish Council believes that the applicant has failed to demonstrate within the Transport Strategy what provision will be made for special events. It is inconceivable that these would not add to the parking and traffic conundrum that this facility will undoubtedly create.

**Conclusion (parking provision):**

The Parish Council has, therefore, come to the conclusion that on-site car parking provision, if permitted at the low-level currently proposed, will lead to:

- increased and significant off-site parking
- traffic conflict with local residents, clients of the sports pavilion and the nearby school
- harm to the health and safety of users of the proposed facility and others alike.

Finally, in this section, the Parish Council believes that the applicant has failed to show what parking provision will be made for the many special events.

**4) Design:**

The design, coupled with the location, was one of the key features of the Parish Council's recommendation for refusal of the previous application. Whilst strong objections still remain with regard to the suitability of the proposed location, many of the design concerns have been allayed by this new application. Rather than outline in great detail hereunder, the Parish Council points out that the new application, whilst still retaining the notion of shipping containers, has improved the overall concept and design. The Parish Council remains concerned that shipping containers are not particularly conducive to the surrounding area, but the Parish Council understands that places of worship, regardless of religion or creed, are usually designed to stand out from the surrounding building, rather than blend into the background. The Parish Council notes, in particular, the comments made by MK Council's Senior Urban Designer: *"Whilst the proposed building and its materials are unconventional it is modern and innovative and consistent with Milton Keynes reputation as an ambitious, forward thinking city. It is also common for religious and community buildings to have different characteristics from the built form context to some extent these buildings should stand out"*. A Parish Councillor concluded that *"... Milton Keynes has always been known for its spirit of innovation and its desire to lead in terms of recycling and green issues. This building as proposed meets both of these goals..."*.

**Conclusion (design):**

The Parish Council is of the view that, provided that the materials used can be shown to be durable and stand the test of time without deterioration, then the unusual building characteristics are a feature that should not lead to refusal on design grounds.

**5) Consultation process:**

The Parish Council was less than enthusiastic in regard to the consultation process over the withdrawn application – and is, therefore, dismayed to learn that no public consultation has been undertaken by the applicant on the revised application. Indeed, the document posted by the applicant on MK Council's website clearly shows, on the front cover, that no further consultation has taken place by the applicant since 12<sup>th</sup> February 2019!

**Conclusion (consultation process):**

The Parish Council believes that a full and proper consultation exercise should have been carried out with regard to the new application. It is the view of the Parish Council, therefore, that unless or until such time as members of the public are afforded the opportunity, by the applicant, to publicly examine the application, no determination of the application should be envisaged.

**6) Arboriculture Impact Assessment:**

The Parish Council accepts the findings within the report prepared by Trim A Tree and, therefore, believes that there will be no significant detrimental impact caused by this application.

**7) Noise Pollution Assessment:**

The Parish Council, having perused the report provided by Cass Allen and taken account of the comments of MK Council's Senior Environmental Health Officer, concludes that there will be no undue noise pollution caused by this application.

**8) Archaeological Impact assessment:**

The Parish Council notes the e-mail from the Senior Archaeological Officer that, although the site is within a Heritage Interest Area, he does not regard this proposal as having any significant potential impact. The Parish Council supports these observations and, therefore, agrees that there is no adverse impact caused by this application.

**9) Buckinghamshire Fire & Rescue Service:**

The Parish Council notes the letter dated 25<sup>th</sup> March 2019 and, specifically, would highlight the comment *"Particular attention must be given to parking facilities to prevent chronic 'double parking' issues, which could ultimately affect emergency service attendance"*.

**10) Crime Prevention By Design:**

The Parish Council is concerned by many of the issues raised in the report from the Crime Prevention Design Advisor, Thames Valley Police. It is the view of the Parish Council that the applicant must agree to undertake in full the measures therein before planning permission can be approved, should MK Council be minded to so grant.

The Parish Council would expect MK Council to assess this application in the light of the above comments and observations and to provide an evaluation against the criteria outlined in the following NPPF policies:

National Planning Policy Framework (NPPF)

Section 4 Decision-making

Section 8 Promoting Healthy and Safe Communities

Section 12 Achieving Well-Designed Places

Section 15 Conserving and Enhancing the Natural Environment

## **Evaluation, conclusion and recommendation of the Parish Council:**

### **Brief evaluation:**

This new, revised Planning Application has much to recommend it. In many ways, it is an improvement on the withdrawn application and the Parish Council is satisfied that the applicant has sought to modify the proposals in the light of advice from MK Council and comments received from members of the public and statutory consultees.

### **Conclusion:**

There are still a number of key areas that require being resolved before a determination can be reached on the current application. These include:

- Principal of location,
- Traffic and transport,
- Parking provision
- and Crime prevention by design.

### **Parish Council recommendation:**

The Parish Council has arrived at the conclusion that it cannot recommend, at this stage, approval and the granting, by MK Council, of planning permission for Planning Application 20/00551/FUL.

Until such time as ALL of the above items are resolved in their entirety, MK Council should NOT determine this application. MK Council should engage with the applicant to find solutions to these outstanding issues and then, if and when the necessary changes are incorporated into the application, a new consultation exercise should take place with members of the public and the statutory consultees.

The Parish Council is of the opinion that it would welcome the opportunity to review a revised application that encapsulates those issues that are considered to be preventing the Parish Council from giving this application their full support.

#### **A1.2 Cllr Anthony Brown – Tattenhoe Ward (Chair of DCC)**

I have read all representations on this application and have come to the conclusion that, on balance, I have to object on behalf of the residents of Tattenhoe. I feel it is important that the decision is made in public, with residents given the opportunity to have their views heard, so I have requested it be heard by the Development Control Panel/Committee, in whatever form this may proceed during these uncertain times.

I object on the following grounds, and will elaborate further at the DCP meeting:

There are some concerns about the proposed design and the materials planned for construction. Policies D1, D2 and D3 in Plan:MK are all relevant in this case. Concerns have been raised about the materials proposed for construction, the massing and scaling of the building, particularly in relation to the height of the building. It is also considered to be out of character with the area.

Although a travel strategy has been submitted, the impact on the local highways and traffic are not in line with policy CC2 of Plan:MK. This states, 'Non-residential

community facilities (will be permitted) at other locations if all of the following criteria are met:

- The proposal is accompanied by evidence that demonstrates why it cannot be satisfactorily accommodated at other locations;
- There would be no conflict with existing or potential neighbouring uses;
- The site has adequate parking and access arrangements; and
- The number of places of worship permitted in an area does not undermine its main planning use.

3. Residential community facilities within housing areas preferably in locations well related to local centres. Proposals will need to show that buildings are designed to be adaptable for multi-use'.

With the current capacity of the road network around the area being very much stretched, the proposed development will have a significant negative impact as described in CC2. The proposal does not satisfy all conditions of CC2 parts 2 and 3.

As Tattenhoe is not well related to a local centre, there being no local centre in Tattenhoe, the proposed site does not fulfil criteria 3 well.

The proposal does not satisfy policy CC4 of Plan:MK as the opening hours will have detrimental impact on residential amenity.

The overwhelming feeling from local residents is that this proposal is in completely the wrong location and is not sustainable at the site. A petition with, at time of writing, 598 signatures objecting to the proposal, demonstrates the strength of feeling.

#### A1.3 Cllr James Lancaster – Tattenhoe Ward (member of DCC)

Additional comments have been received during the re-consultation period which are summarised as follows;

- There have been additional representations received which are not within the DCC report.
- The location of the site is unsustainable.
- There are limited means to control the number of attendees to the site.
- Development fails to meet the criteria as set out in Policy CC2.
- Other sites including unallocated Homes England land should also be considered.
- There would be direct conflict between neighbouring uses, particularly during peak Pavilion times.
- The officer report does not refer to the meals which will be prepared on-site, and associated pollution/staff generation.
- Impact on the highway network not properly considered.
- Unacceptable reliance on unsustainable transport.
- Development does not meet the council's adopted parking standards.
- A different parking standard should be applied (i.e. Events Venue).
- Design remains unacceptable.

- The scale and massing of the building, in conjunction with the levels would result in an unacceptable impact upon residential amenity.

Initial comments received:

Whilst I agree for the need of a temple and wishing to support the Hindu community, this location is NOT suitable for the Temple.

I strongly object and recommend refusal of the application, and in no particular order;

Failure to address concerns raised a year ago which led to the application being withdrawn.

An almost identical proposal was withdrawn due to significant concerns from the local community about lack of consultation, poor design, traffic congestion and parking, loss of bio diversity, pollution, and the ability of established leisure activities and sport to continue to operate at Tattenhoe Pavilion if the temple and community centre was built in this location. Contrary to recommended good practice and planning guidance at national and local level, the applicant has failed to reasonably address many of these concerns, and to consult local residents before resubmitting. Claims made about the support of local residents are grossly overstated.

#### Location, threat to existing community facilities.

The Temple is to be a site of national presence for the Shital community, accessible to a wide audience, not just Tattenhoe. There will be up to 95 worshippers a day but the key issue of concern is the special events – a minimum of 4 festival occasions during the year plus hirings for weddings and other celebrations. The full capacity of the facility is 300 people. Tattenhoe is a quiet residential area with a thriving community centre and sports pavilion within 100m of the proposed temple and community hall. The impact of this will affect local facilities, and impact on the local community. Traffic congestion and competition for parking spaces would be a significant issue and could affect the sports, tournaments and leisure facilities at Tattenhoe Pavilion.

Plan:MK Policy CC4, New community facilities:

“Milton Keynes Council will support development proposals where they:

- i. Retain and maintain existing facilities which are valued by the community;
- ii. Improve the quality and capacity of facilities valued by the community; and

A risk assessment of the impact this proposal would have on existing facilities has not been carried out but is required before this decision is taken.

The Site Selection Report in the application addresses only the 27 small sites available through MK Community Foundation. There is no evidence of a wider search which might reveal a more suitable, sustainable site.

#### Design

The appearance, design and construction materials are to go with the overall character of the area, which is an area of traditional housing construction. Stated in planning guidance – a place of worship can be a “stand out” design, in contrast to nearby residential designs. MK has a tradition of some great winning buildings to be

proud of MK. However this design stands out for the appearance of a cheap solution; is not pleasing and unfortunately it looks exactly like a set of painted shipping containers. No marine paint can hide this, if anything it will make it stand out. The trellis, added following adverse comments in the last submission has the appearance of simply being “glued” onto the front façade and covers the windows to the large hall. I would say the temple and community hall design is not a good, sustainable design which enhances the character of the area, and does exactly the opposite. This failure is a material planning consideration.

#### Building mass is overbearing

The shipping container shape painted in rust orange appearance is not fitting with the area, and is of considerate height in a very prominent position. Allowing for one and a half meter of ground levelling on the south side, the height to the top of the container will be 8m resting on an upward slope. The roof and spire will add more height on top of this. It will be overbearing over surroundings, especially to nearby housing in Benacre Croft, Fife Court, and Holborn Crescent. Gardens in Eastoke Place will look onto it.

The overall impact is needed to be brought for attention to MK Urban Design Planning Standards.

#### Traffic congestion / parking issues

Tattenhoe estate is served by narrow estate roads and small roundabouts. Tattenhoe Pavilion hosts a successful Football Club, also other facilities for local people. Traffic on Thursday evenings and weekends is already heavy with roads and parking facilities stretched to full capacity. Thursday to Sunday would be peak usage time for the temple and community hall, creating an additional unbearable and unsustainable impact on roads and for residents living there. Families would be put at risk from the additional significant traffic volumes, noise and pollution. On weekends and Thursdays there is clear photographic evidence of parking on verges, outside houses and driveways; adding up to 300 extra visitors would be disastrous for residents. The Travel Strategy and Plan is woefully inadequate, with no real credible solutions as to how the additional traffic will be managed. There is mention of use of the carpark outside the nearby school and the Pavilion but these are already full at precisely the time when the temple and community hall would need the capacity. Park and ride facilities do not exist and the nearest large parking area at Westcroft District Centre is also full on weekends and the landowner has refused permission to park there.

Safety at main junctions compromised;

Access onto the V1, already a dangerous junction, would be an issue as motorists queue to exit the estate and feel under pressure to "make a break" to get out. Access and exit via V2 would take cars through Tattenhoe estate on narrow roads, with many parked cars.

Number of parking spaces still inadequate;

There are discrepancies in the plans and documents as to the size of the facility and its functions which affect parking requirement calculations. These discrepancies need to be addressed and eliminated.

The 13 extra spaces to 55, in the new application, are insufficient. This is not just a place of worship. It houses a large community hall for festivals, weddings and day-long celebrations which require all day parking. I question whether the allocation of space between worship and community reflects the reality of use; worship space has a higher (double) parking standard and is only one quarter of the total space. I suggest this needs to be re-examined and tested.

Notwithstanding this comment, parking requirements do not include 2 spaces for the 2 bed flat, or an allowance for catering staff and distribution vehicles serving the planned 21k meals a day across MK.

Where will 250-300 visitors for celebrations park? As mentioned above there are no available empty parking facilities nearby to take these visitors. The Pavilion car park and school will already be full.

Lastly, the size of each parking space in the plan is at the very low end of modern standards and this coupled with minimal manoeuvre room within the car park, and only one car park entry and exit will exacerbate the parking problem.

In summary this application fails to meet MK's parking standards SPD.

Environmental health and protection assurances are missing;

Houses are very close to the temple and will be affected by noise, smells and light pollution from 7 day a week, 12 hour opening. An average of 21,000 meals a year are to be supplied to the homeless, on top of normal catering for worshippers and events. There is a concern therefore about cooking smells escaping into the surrounding environment from the 12 hours a day operation.

Any suggestion to use planning conditions to restrict numbers would be unenforceable.

There is nothing in the Travel Plan to provide confidence that residents will be shielded from the impact of large car influxes, beyond the capacity of local roads and parking availability. Any attempt to mitigate this through a planning condition would be ineffective. Experience is that visitors arriving would not be turned away.

In summary this location is unsuitable for this facility and I recommend refusal on the grounds cited. In the event that the Planning officers recommendation is to accept the application, then I formally request that this application is heard Development Control Committee/Panel and that a site visit is made by the decision makers in any event.

A more suitable location for the temple and community centre is required.

#### A1.4 Cllr John Bint – Broughton Ward (Vice Chair of DCC)

In responding to an open email sent with the petition (Then as Chair of Development Control Committee), acknowledgement was made of receipt and a word of thanks was expressed to members of the public engaging with the planning process and consultation. However, no comments were made as to the merits of the planning application, citing that members of DCC are unable to be pre-determined in any way

prior to the meeting without invalidating a right to take part in the debate. Additional comments were made advising residents of procedures and the planning process.

#### A1.5 MKC Development Plans/Policy Team

In relation to the principle of development in terms of alternative sites, the Policy Officer has commented that; 'From the information you have supplied to me with on the attached file, it is apparent that the applicants have approached many commercial agents and surveying firms (across the Borough) but have not been able to come up with a suitable alternative'.

#### A1.6 MKC Highways

This proposal is for the erection of a building to be used within the D1 use class; primarily for community and worship uses. The application is a resubmission of the previous application, 19/00628/FUL, which was withdrawn.

The key differences between the two applications, in highway terms, are the increase in proposed parking to 55 spaces and the reduction in floorspace from 894m<sup>2</sup> to 827m<sup>2</sup> (as quoted in para 4.04 of the D&A Statement and para 4.2 of the planning statement). The current application also includes a revised access arrangement.

Despite quoting a GEA of 827m<sup>2</sup>, the schedule of floorspace in the D&A Statement (section 7.00 "Area Schedule") states a GEA of 924m<sup>2</sup>. This schedule shows 238m<sup>2</sup> of space for worship.

The highway advice provided for the withdrawn application sought a parking provision of 55 spaces (based on 894m<sup>2</sup> GEA and 232m<sup>2</sup> for worship). Using the figures from the Area Schedule in the DAS, the current parking requirement is, 238m<sup>2</sup> Worship @ 1:10m<sup>2</sup> = 23.8 spaces + 686m<sup>2</sup> D1 @ 1:22m<sup>2</sup> = 31.2 spaces; Total = 55 spaces.

Despite the slight changes in floor area, based on the DAS floorspace figures, the parking requirement remains at 55 spaces. The applicant has now included 55 spaces as part of the proposals. Given the previous highway advice and the compliance with the Council's parking standards, the proposed parking provision is accepted.

In the absence of a specific standard for cycle parking, the general D1 standard of 1 space per 100m<sup>2</sup> plus 1 space per 10 staff should be applied. Staff figures are not provided but the application includes 12 cycle parking spaces, which would cater for 9 visitor spaces and 3 staff spaces (i.e. up to 30 staff). The cycle parking provision is acceptable.

The proposed layout of the car parking and the revised access proposals are acceptable and these can be covered by suitable condition should consent be issued.

The application is accompanied by several supporting documents, including a "Travel Strategy" (Travel Plan). It is assumed that the relevant team within the Council will

provide comments on this document and ensure that the travel measures proposed are robust and will limit car-borne journeys to the site.

The application is also accompanied by plans indicating an area of parking at Wimborne Crescent in Westcoft. It is not clear what these plans are intended to indicate and there is no obvious reference to this parking area in any of the documentation.

There is anecdotal evidence, from objectors, that the area is, on occasion, subject to some overspill parking from existing uses. However, the application complies with the Council's parking standards and therefore there is no reason to suspect that the proposal would exacerbate this situation. In fact, the applicant has demonstrated a willingness to make the new car park available to other users at busy times, thereby potentially reducing overspill parking.

### **Summary**

The site is in an accessible location and the proposed development meets the Council's parking standards. There is a Travel Strategy that the applicant should be required to strengthen and should be enforced. Mindful of this, there is no objection to the granting of planning permission subject to the following conditions:

1. Prior to the commencement of the development the new means of access shall be sited and laid out in accordance with the approved drawing and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The access so laid out shall be retained thereafter.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the access.

2. Prior to the occupation of the development hereby permitted the car parking area shown on the approved drawings shall be constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the safe free flow of traffic on the neighbouring highway.

#### **A1.7 MKC Urban Design**

Public buildings including religious buildings should be memorable features in the townscape that relate to their location and use. Whilst, I am supportive of the modern design of the temple as it is an innovated approach using relatively modern methods of construction that can largely take place off site, the colour of the shipping containers needs to be conditioned to ensure that the chosen colours relate well to those used in the built form context.

Whilst I understand that the first floor halls have sky lights, I am concerned about the view out of the first floor windows that are behind the trellis and will be obscured. I would like a better understanding of how much light they will get and the extent to

which the view out is blocked in order to understand if this is a practical relationship. Ideally there would be a management plan for any plants that climb up the trellis as this could also block the view from the windows and limit surveillance of the public realm. Understanding this is important as the trellis is a key part of the façade and I wouldn't want to see it removed at a later date in order to see out of the window or provide more light to the hall.

It is important that the building creates its own identity beyond the building material and doesn't simply resemble a collection of shipping containers. It's my view that the design has achieved this.

Whilst the proposed building and its materials are unconventional it is modern and innovative and consistent with Milton Keynes reputation as an ambitious, forward thinking city. It is also common for religious and community buildings to have different characteristics from the built form context to some extent these buildings should stand out.

It is for these reasons, that in terms of design, I don't object to this application.

A1.8 MKC Flood and Water Management Officer (Lead Local Flood Authority)

Objection; 'We note that the applicant refers to a living green wall, permeable paving and a drainage plan but this information does not appear to have been submitted as part of the application.

Once the applicant has provided the above information we will look to provide our comments'.

Additional comments to be provided within an update paper.

A1.9 MKC Landscape Services (Tree Officer)

No representations were received at the time of writing this report.

A1.10 MKC Environmental Health

No objections in respect of noise;

'Cass Allen are a reputable firm of acoustic consultants and I am happy to accept their conclusion that noise levels will be within acceptable limits.

However, the assessment is based on the assumption that the Temple will only be operate between the hours of 08:00 and 21:00 hours. Therefore, I would advise that a Planning Condition is imposed limiting use of the Temple (and associated outside and car parking areas) to within 08:00 and 21:00 hours. This is in order to protect the amenity of nearby residents. Any deviation from these hours would require a further noise assessment'.

#### A1.11 Archaeological Officer

No objections.

#### A1.12 Thames Valley Police

Whilst I do not wish to object to the proposed plans, I do have some concerns in relation to crime prevention. The National Planning Policy Framework demonstrates the government's commitment to creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With this in mind, I would like to draw attention to the following observations:

##### Boundary Treatment

The Design and Access Statement states there is no physical boundary definition for this development. However, I note the existence of existing boundary trees and bushes. These should be managed and should clearly define the boundary between public and private realm.

##### Landscaping

I have been unable to locate a landscaping masterplan from the documents submitted. It is also important to ensure that any low level landscaping or bushes is maintained so it does not provide places of concealment or restrict surveillance.

##### Car Parking

The car parking area to the north of this site has limited surveillance from the surrounding area, and has no physical boundary restricting access. As the Design and Access Statement references the inclusion of CCTV, I ask the applicant to include CCTV over the car parking area.

##### External Benches

I note from the plan 562-1020-C 'Site Plan Proposed' dated 21 October 2019 that the applicant plans to include two benches besides parking bays 40 and 45. The bench next to bay 40 lacks surveillance.

I ask the applicant to consider relocating this bench into an area where it can be observed from the main building.

##### Bin Storage

I have concerns that the current location of the bin storage is problematic as it restricts surveillance over the car parking area, and provides an unobservable blank elevation.

- I am making a recommendation that the applicant relocate the bin storage away from the building whilst ensuring the bin storage still has ample surveillance. This

will allow for the possible addition of a second window from the dining hall to further improve surveillance.

### Residential Unit

The front bedroom in the residential unit has a double leaf doorset which is located next to the footpath. From a crime prevention perspective I am unsure if this is appropriate as this will limit the amount of privacy the resident will have, and it is likely the resident will close the blinds / curtains as a result, which will limit the surveillance opportunities between the public and private realm.

I recommend replacing the double leaf doors with a suitable window, with planting below to provide a 1.5m offset / defensible space.

### External Doors

All external doors to the main building should meet the requirements in LPS 1175 SR2, with any glass therein being laminate glass. If double glazed then only one pane needs to be laminate glass. These external doors should be linked to any alarm fitted and should be externally illuminated with security lighting.

The external doors to the residential unit should meet the requirements set out in BS PAS 24 with any glass therein being laminate glass. If double glazed then only one pane needs to be laminate glass and should be externally illuminated with security lighting.

### Exterior Emergency Fire Exit Doors

I am presuming the two exterior doors behind the staircases are exterior emergency fire exit doors, but there is no information regarding their standard. Emergency fire exit doors should be robust and not have any door furniture on the outside and should comply with the fire rating standards. They should also be linked to any alarm fitted and externally illuminated with security lighting. For additional advice please confer with your local fire officer.

### Access

I ask the applicant to ensure that the reception /administration and office / storage is secured to allow only authorised individuals into these areas to reduce the risk of unauthorised access.

### CCTV

The Design and Access Statement pages 21 makes reference to the building being 'fitted with CCTV where necessary'. CCTV should be monitored continuously and appropriately recorded, and consideration given to ensure any fitting of CCTV fits within an overall security management plan in order to maximise its effectiveness.

- I ask the applicant to provide dedicated CCTV to the vulnerable and unobserved areas of the development, including:
  - The rear of the main building

- The car parking bays, particularly the parking bay to the north of the main building
- Please see Secured by Design Commercial 2015 49.1 to 49.10 for further information.

### Lighting

From the submitted documents I was unable to locate a lighting plan for this development. The building and parking area should be lit appropriately with column lighting and in accordance with BS 5489:1-2013, with dusk to dawn lighting to ensure the area is adequately lit. From a crime prevention perspective bollard lighting is not recommended as the light is easily obstructed, damaged, and does not assist with recognising facial features and therefore should be avoided.

### A1.13 Buckinghamshire Fire & Rescue Service

Comments to be provided as part of building regulations, however the following observations and comments are made on the planning application as follows;

- All applications must give due consideration to Approved Document B, Section 15 (Fire Mains & Hydrants) and section 16 (Vehicle Access).
- Particular attention must be given to parking facilities to prevent chronic 'double parking' issues, which could ultimately affect emergency service attendance.
- Where a gated development is included within the application it is preferable that a digital lock is fitted, it is then the responsibility of the property owner to inform Buckinghamshire Fire & Rescue Service of the access codes and update details should there be any changes.
- Where blocks of flats are included within a development the design of refuse storage and collection areas within these buildings should be such that there are no opportunities for deliberate ignition of the refuse, furthermore any fire that may occur within the refuse areas should not affect any habitable areas of the development. In addition, private dwellings should be provided with adequate secure bin storage that is separated from the building by either distance or fire resisting structure.

### A1.14 Neighbour/ Third Party Representations

A total of 626 third party representations have been received, 321 letters in support (from 293 addresses) and 305 letters of objection (from 220 addresses). A petition has also been received objection to the proposed development with a total of 1,192 signatories.

A summary of the supporting comments are as follows;

- Local need for the place of worship
- Development will provide support services to the community
- The development now provides sufficient car parking
- Support of the design of the building

A summary of the objection comments are as follows;

- Principle of development unacceptable
- A more centrally located site is more suitable
- Lack of sufficient car parking, which will exacerbate existing parking issues within the area, particularly during term time and when events are taking place at the Pavilion
- Incorrect parking requirement
- Detrimental impact upon the surrounding highway network
- Scale, bulk and mass of the building will harm the character of the locality
- Events within the year will result in significant impacts on on-street parking provision
- Negative impact on levels of pollution by virtue of noise/odours
- Incongruous design
- Detrimental impact upon residential amenity due to the height of the building and levels
- Level of consultation from the applicants not accurate
- Planning conditions will be enforceable

The comments in the petition with 1,192 signatories is set out below:

'We the undersigned are opposed to the proposal for a temple and community centre on land owned by MK Community Foundation off Holborn Crescent, adjacent to Tattenhoe Pavilion in the heart of Tattenhoe.

A year ago an almost identical proposal was withdrawn due to significant concerns from the local community about the lack of consultation, design of the building, traffic congestion and parking, loss of bio diversity, pollution, and the ability of established leisure activities and sport to continue to operate at Tattenhoe Pavilion if the temple and community centre was built in this location. We the undersigned strongly object to this application based on the following points:

1. Location. The Temple is to be a site of national presence for the Shital community, accessible to a wide audience, not just Tattenhoe, hosting events for up to 250-300. Tattenhoe is a residential area and unsuitable for this facility.
2. Design. The appearance of the temple, its design, and construction materials will detract from the overall character of the area, which is an area of traditional housing construction. The amenity value of the street scene will be badly affected. Its presence will be overbearing to nearby housing in Benacre Croft, Fife Court, and Holborn Crescent. Gardens in Eastoke Place will look onto it.
3. Traffic, pollution, noise. Tattenhoe estate is served by narrow estate roads and small roundabouts. Tatt. Pavilion hosts a successful football club and other facilities for local people. Traffic on Thursday evenings and weekends is heavy with roads and parking facilities stretched to full capacity. Thursday and Saturday are peak usage times for the temple, creating an additional unbearable and unsustainable impact on roads and for residents living there. Houses front onto the access roads so families would be put at risk from the additional significant traffic volumes, noise and pollution.

4. Safety. Access onto the V1, already a dangerous junction, would be an issue as motorists queue to exit the estate and feel under pressure to "make a break" to get out. Access and exit via V2 would take cars through Tattenhoe estate on narrow roads, with many parked cars.
5. Parking. The 13 extra spaces to 55, in the new application, are insufficient. Peak time traffic already causes obstruction and gridlock. Adding 300 additional visitors for all day parking for events with just 55 spaces does not pass the common sense test. We question the allocation of space between worship and community use; worship space which has a higher parking standard appears low compared to community use. A more realistic allocation to worship space would mean that parking spaces are inadequate and do not meet MK parking standards.

In addition the temple and community centre will produce a substantial number of meals for distribution each day. No allowance is made for distribution vehicles.

The size of each parking space is inadequate for the size of modern cars. Park and ride is infeasible as no facilities exist for this.

The access road to the car park crosses the footpath to the Pavilion. Key safety issue.

6. Environmental health and protection. Houses are very close to the temple and will be affected by noise, smells and light pollution. An average of 21,000 meals per year are to be supplied directly to the homeless, on top of normal catering for worshippers and events. There is a concern therefore about cooking smells escaping into the surrounding environment. Bats and other wildlife will be disturbed by the 7 day 12 hour operation.
7. Consultation. Claims about consultation and support of local residents are grossly overstated. This proposal does not have the support of local residents.
8. Any Planning conditions to restrict numbers would be unenforceable. Experience is that visitors arriving would not be turned away.

In summary, residents, the community and the environment would suffer if this application was allowed. This location in the heart of Tattenhoe is unsuitable for this facility. We ask DCC members to carefully consider the objections presented and to decline this application. A more suitable location for the temple and community centre is required'.