

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 October 2012

AUTHOR/S: Planning and New Communities Director

S/1715/12/FL – GREAT SHELFORD

Change of Use From Residential to Retail and New Compound Fence to Enclose Overflow Storage and Waste Bins Facilities – Shelford Delicatessen and 6 Woollards Lane for Wilkinsons of Shelford Ltd

Recommendation: Approval

Date for Determination: 12 October 2012

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council differs to that of planning officers.

Members of the Planning Committee will visit the site on 2 October 2012.

To be presented to the Committee by Andrew Winter

Site and Proposal

1. The site is located within the Great Shelford village framework and conservation area. The site comprises a detached, two-storey, brick/render and plain tile building used as a delicatessen that is situated gable end to the road. It has a seating area on the forecourt to the front and recently completed single storey side and rear extensions that have increased the floor space of the shop, created an internal seating area, and a rear storage area.
2. The application, validated on 17 August 2012, seeks retrospective approval to change the use of part of the front garden of 6 Woollards Lane to retail (for use as ancillary storage compound) and the erection of a compound fence enclosure for overflow storage and waste bins facilities in association with the existing delicatessen shop. Both properties are in the same ownership.

Site History

3. S/1716/12/AD – An advertisement application is currently submitted to seek retrospective approval for the front signboard.
4. S/1176/11 – Planning permission was granted for a change of use of the former first floor flat to A1 (Retail) Use, the construction of a new external staircase and the installation of solar panels.
5. S/0630/10 – Planning permission was granted for a similar scheme as approved in S/1176/11.

6. S/1264/00/F – Planning permission was granted for a single storey rear extension.

Planning Policy

7. The **National Planning Policy Framework** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein.
8. **South Cambridgeshire Local Development Framework Development Control Policies 2007:**
 - DP/1** Sustainable Development
 - DP/2** Design of New Development
 - DP/3** Development Criteria
 - DP/7** Development Frameworks
 - CH/5** Conservation Areas
 - NE/6** Biodiversity
9. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
 - District Design Guide SPD – adopted March 2010
 - Development Affecting Conservation Areas SPD – adopted January 2009
 - Great Shelford Conservation Area Appraisal

Consultation by South Cambridgeshire District Council as Local Planning Authority

10. Great Shelford Parish Council - Recommends refusal due to: visual harm to the new extension of the shop; visual dominance along Woollards Lane; untidy appearance of storage area; and unacceptable change of use of the adjoining domestic property.
11. Principal Conservation Officer – The enclosure should be mitigated by planting to the front and sides and should be set back in line with the gable of the adjoining house (6 Woollards Lane) to appear less intrusive to the street scene and the conservation area.
12. Tree Officer – The silver birch tree is important within the street scene. As the works are retrospective, SCDC will not know if the changes to the fence line have been undertaken with post holes hand dug. Therefore, no further comment can be made.
13. Acting Environmental Health Manager – Comments not yet received.

Representations by Members of the Public

14. **Owner/Occupier of 12 Spinney Drive** – Objects on the following grounds: the development is unjustified in relation to the adjoining residential property and the conservation area; the development is visually harmful; the storage area is highly visible and unsightly; the storage can be located elsewhere; and the same ownership of the property should not be prayed in aid of the application.
15. **Owner/Occupier of 3a Woollards Lane** – Objects on the following grounds: harm to the conservation area; harm to the visual integrity of Woollards Lane; and harm to the appearance of the new extension on the site.

Material Planning Considerations

16. The main issues in this case are:
- the impacts of the proposal upon the conservation area;
 - the residential amenity of immediate neighbours;
 - the impact upon existing trees.

Conservation Area Impact

17. Woollards Lane is a mix of commercial and residential properties, which are predominantly 19th century in character. The delicatessen shop, of which this application is concerned, is relatively modern in character with its recent timber fronted side extension, and it is situated adjacent to a residential property to the east and a public library to the west.
18. The development affects the front of this property and the fenced enclosure presents an abrupt interruption to the row of shop fronts that occupy this side of Woollards Lane. The visible harm in this case, is most apparent when in direct view from Woollards Lane, which presents a stark 1.8m close-boarded fence with little visual interest and relation to the surrounding street scene.
19. The applicant's agent has confirmed by e-mail (sent 13 September 2012) that the potential relocation of the store to the rear of the site has been considered, but there is an environmental health cross-contamination issue in storing fruit and vegetables in the cold storage units at the rear. With this obvious alternative location ruled out, the applicant has proposed improvements to the current scheme taking into account the suggestions of the conservation officer. Consequently, the submitted amended drawing (0214-151B) proposes the front fence to be re-sited 1m further back from the street and the development mitigated with soft landscaping to the front and east side.
20. The proposed revised scheme is considered to mitigate the impact of the development upon the conservation area to a successful degree. The store compound would appear less prominent within the street scene and a suitable scheme of hedging would soften its appearance and reduce much of its visual harm. A landscaping scheme is therefore recommended to agree a suitable size and species of hedge and a condition is also recommended to restrict the height of stored items to 2m to prevent potential additional visual harm to the surrounding area.
21. The development does involve the shop site extending over on to the residential site at 6 Woollards and this has also been raised as a concern in the representations above. There is considered to be no strong planning reason why this is unacceptably harmful to the character of the conservation area given the mixed residential and commercial nature of the vicinity. The implications of this issue in relation to the amenity of the immediate neighbour are considered below.

Residential Impact

22. The applicant's agent has confirmed by e-mail (sent 13 September 2012) that the storage compound is used for two large waste bins and a refrigerated storage unit for fruits and vegetables that are unsold at the end of each day. The immediate neighbour at 6 Woollards Lane is within the ownership of the delicatessen and has a ground floor playroom window immediately adjacent to the development. It is unclear from the submitted plans whether the window directly faces a close boarded fence or whether it has open views of the storage compound. In either case, a boundary treatment condition is recommended to mitigate the impact upon the outlook of this room by, for instance, siting a rear fence of appropriate height away from the neighbouring window.
23. The first floor window of No.6 also looks out on to the storage compound and control over how the compound is managed will ensure the outlook from the first floor window is as pleasant as possible. Therefore, a condition is suggested to ensure nothing other than the 2 bins and one refrigeration unit are stored within the external storage area. This will also help control the environmental impact. A further condition regarding the noise impact from the fridge is also suggested.

Trees

24. As the amended plans show the front boundary fence to be moved back, the method of construction should be controlled by condition to ensure the fence posts are hand dug to protect the adjoining root area of the silver birch tree.

Recommendation

25. Approval, subject to the following conditions:
 1. **The development hereby permitted shall be carried out in accordance with the following approved plans: 0214-150, 0214-151B and 0214-152.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 2. **A full scheme of soft landscape works shall be submitted for approval to the Local Planning Authority within 56 days of the date of this decision. These details shall include a timetable for landscape implementation together with a specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To mitigate the visual impact of the development upon the character and appearance of the conservation area, in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
 3. **All soft landscape works shall be carried out in accordance with the approved details and timetable in condition 2. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the**

Local Planning Authority gives its written consent to any variation.

(Reason - To mitigate the visual impact of the development upon the character and appearance of the conservation area, in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)

- 4. A scheme indicating the positions, design, materials and type of boundary treatment to be erected, including a timetable for its implementation, shall be submitted to and approved by the Local Planning Authority within 56 days of the date of this decision. The boundary treatment shall be completed in accordance with the approved scheme and shall thereafter be retained.**

(Reason - To mitigate the visual impact of the development upon the residential amenity of immediate neighbours and to safeguard the character and appearance of the conservation area in accordance with Policies DP/3 and CH/5 of the adopted Local Development Framework 2007.)

- 5. The relocation of the front fence to its new position, hereby permitted, shall not commence until a scheme for the method of its construction in relation to the adjoining silver birch tree, including a timetable for the work, has been submitted to and approved in writing. The works shall thereafter be carried out in accordance with the approved scheme and thereafter maintained.**

(Reason - To mitigate the impact of the development upon protected trees in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)

- 6. No storage shall take place within the storage compound, hereby permitted, apart from 2 refuse bins, which shall be kept lidded at all times, and 1 refrigeration unit; neither of which shall exceed 2m in height. There shall be no external storage of any other goods or materials within the approved compound.**

(Reason – In the interests of residential amenity and health in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 7. Details of the noise impact of the refrigeration unit to be stored within the compound hereby permitted, and a scheme of noise mitigation, shall be submitted for approval to the Local Planning Authority within 56 days of the date of this decision. The noise mitigation shall be implemented and maintained in accordance with the approved scheme.**

(Reason – In the interests of residential amenity in accordance with Policies DP/3 and NE/15 of the adopted Local Development Framework 2007.)

Background Papers: the following background papers were used in the preparation of this report

- Local Development Framework Development Control Policies DPDs and Supplementary Planning Documents.
- National Planning Policy Framework

Contact Officer: Andrew Winter - Planning Officer
01954 713082