

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

S/0104/06/F – Harston
Change of Use of Two Areas of Amenity Land to Land in Association with Business Premises and Garden Land and Erection of Boundary Fences at Land adjacent 106 High Street for J DeBeer

Recommendation: Approval
Date for determination: 20th March 2006

Site and Proposal

1. This application relates to two areas of land that were originally landscaped areas as part of the High Meadow development but have subsequently been sold by the developer to the owner of No.106. There is currently no planting within these areas. The boundary between these areas and No.106 is currently marked by fencing ranging from 1 metre high to approximately 2.4 metres high plus trellis on top.
2. This full application, registered on the 23rd January 2006, proposes to use the area close to the High Street as garden in association with the dwelling at No.106 and the area to the rear in association with the garage workshop business at No.106. The existing boundary fencing currently on the back edge of the High Meadow footway, which stands up to approximately 2.4 metres high plus trellis on top, would be removed and new fencing erected set-back 300mm from the back edge of the High Meadow footway rising from 1 metre high close to High Street to 2 metres high.

Planning History

3. These two areas of land were shown as landscaped areas as part of the scheme for nine houses and garages on land at Manor House Farm (the development now being known as High Meadows) approved under reference **S/1166/97/F** in November 1997.
4. An application for change of use of these two areas of amenity land to land in association with business premises and garden land and erection of boundary fences ranging from 1 metres to 3 metres in height was refused in January 2005 under reference **S/1920/04/F** on the grounds that:
5. “These two areas of open land were part of the landscaping scheme for the High Meadows development. Their enclosure with the proposed fencing (which would range from 1m to 3m in height) would seriously detract from the character and appearance of the High Meadows development. The proposal is therefore contrary to the aims of Structure Plan 2003 Policy P1/3 and Local Plan 2004 Policies SE4 and HG10 which seek to ensure that developments achieve and retain a high standard of design and layout which create and retain a sense of place.”
6. There have also been a number of other applications at what is now 106 High Street including: Erection of Motor Workshop after Demolition of Existing – Refused (**C/67/160/D**); Motor Repair Workshop - Approved (**C/69/452**); Erection of a New Workshop After Demolition of Existing – Refused (**S/0255/71/O**); Erection of a

Workshop to Replace Existing – Refused (**S/0571/71/O**); Erection of a Workshop to Replace Existing – Refused and Appeal Dismissed (**S/0682/71/D**); Alterations of House and Office to First Floor Self Contained Flat with Ground Floor Sale Room and Office – Refused and Appeal Dismissed (**S/0480/74/F**); Extension to Workshop to Provide Insulation Barrier – Refused (**S/1458/76/F**); Rearrangement of Living Accommodation to Allow Access to Rear of Property – Refused (**S/1251/78/O**); Drive Through Vehicle Showroom – Refused (**S/1702/79/F**); Established Use Certificate for Sale of Motor Vehicles and Spares – Deemed Refusal and Appeal Dismissed (**S/0893/81**); Change of Use of Spray Shop to Motorcycle Sales/Spares/Accessories – Refused (**S/1823/85/F**); and Conversion of Workshop to Offices and Conversion of House to 2 Flats – Approved (**S/0432/88/F**).

Planning Policy

7. Structure Plan 2003 **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development which responds to the local character of the built environment.
8. Local Plan 2004 **Policy SE4** states that residential development will be permitted within the village framework of Harston provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites.
9. Local Plan 2004 **Policy HG10** states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape and should also achieve high quality design and distinctiveness.
10. Local Plan 2004 **Policy EM7** states that development for the small-scale expansion of existing firms within village frameworks (small-scale being considered to be development for those who employ 25 people or less) will be permitted provided that there would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors; and the development would contribute to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is dependent on the use of locally-based skills and expertise.

Consultations

11. **Harston Parish Council** recommends refusal stating:
 - 1 “The terms of Refusal by SCDC in 2004 of PA S/1920/04/F still apply
 - 2 The 2 small areas of amenity land in question were contained in the approved Landscape Design of the original PA for High Meadow development, approved by the SCDC. The proposed change of use removes that South Cambridgeshire District Council approved Landscape Design intent.
 - 3 The amenity land effectively is a verge, and provides a sight line for High Meadow road.
 - 4 A fence abutting the kerb, to separate the Business Use of the 106 High Street from High Meadow residential area, would create a visual obstruction for access onto the A10 from High Meadow.”

12. **Chief Environmental Health Officer** raises no objections.
13. **Local Highway Authority** raised no objections to application S/1920/04/F.

Representations

14. The occupier of 108 High Street has no objections.
15. The occupiers of 1, 2, 3, 4, 9 and 10 High Meadow object on the following grounds:
 - a. Highway safety/creation of a blind corner, and resulting risk to children playing in the road;
 - b. The two areas were part of the original landscaping design and their loss would materially detract from the appearance of the development and compromise its good design by reducing the entrance to a narrow looking road with no visual welcoming aspect;
 - c. Extension of business premises into a quiet residential area;
 - d. Additional congestion, noise and parking in High Meadow as a result of the increase in size of the business;
 - e. Possible future creation of an access onto High Meadow;
 - f. The area to be used in association with the business premises will be used for bonfires bringing them closer to residential properties;
 - g. The pungent smells, fumes and loud engine noises from an early hour would be brought closer to residential properties;
 - h. The reduction in height of the fences and moving them back 300mm from the pavement does not satisfactorily address these concerns; and
 - i. The reasons of refusal of application S/1920/04/F are still applicable.

Planning Comments – Key Issues

16. The main issues in relation to this proposal are:
 - Impact on the character and appearance of the area;
 - Impact on residential amenity; and
 - Highway safety.
17. The two areas formed part of the original landscaping scheme for the High Meadows development but have recently been sold to the applicant by the developer. Whilst these areas, if properly landscaped and maintained, would make a contribution towards the character of the area, the Local Planning Authority does not have any powers to ensure that they are replanted and maintained. In my opinion, by setting the proposed fence line back 300mm from the edge of the footway and being only 2 metres high, this application satisfactorily addresses my concerns in respect of the previous application (S/1920/04/F) which proposed fencing up to 3 metres in height and on the back edge of the footway. In coming to this view, I have given weight to the fact that there would be some gain as a result of the development in that a section of the existing fencing which sits on the back edge of the High Meadow footway and is approximately 2.4m high plus trellis on top would be replaced by a 2m high fence set back 300mm from the back edge of the footway. The resiting and reduction in the height of this fencing should therefore be a condition of any permission.
18. Subject to compliance with the recommended conditions, the expansion of the garage site would be acceptable in terms of the impact on neighbours.

19. The approved plans for High Meadow (S/1166/97/F) indicate that part of the easternmost area subject of this application was intended to provide visibility round the bend in High Meadow. However, the Local Highway Authority has raised no objections to the proposal in this regard and it is not therefore considered that a refusal could be substantiated on this ground.

Recommendation

20. Approval (as amended by e-mail dated 27th February 2006)
1. Standard Time Condition A – Time limited permission (Reason A).
 2. Prior to the commencement of development, the existing fence on the back edge of the High Meadow footway between the two areas of land (shown in blue on the Arrangement Plan) shall be replaced with 2 metres high fencing set back 300mm from the back edge of the footway (Reason – To ensure that, by removing a higher section of fencing on the back edge of the footway, the net effect of the development does not detract from the appearance of the area).
 3. Any external storage of vehicles or materials on the land to be used in association with the business premises (the easternmost of the two areas) shall not exceed 2 metres in height (Reason - To ensure the development does not detract from the appearance of the area).
 4. No work or process shall be carried out on the land to be used in association with the business premises (the easternmost of the two areas) other than between the hours of 0730 and 1800 Mondays to Fridays and 0730 and 1300 on Saturdays and at no time on Sundays or Public Holidays (Reason - To protect the amenities of occupiers of nearby properties).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable Design in Built Development)
 - **South Cambridgeshire Local Plan 2004:** SE4 (Residential Development in Group Villages), HG10 (Housing Design) and EM7 (Expansion of Existing Firms)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: impact on character of the area; highway safety; dangers to children; and residential amenity.

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

South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003
Planning file Refs: S/0104/06/F, S/1920/04/F, S/1166/97/F, S/0432/88/F, S/1823/85/F, S/0893/81, S/1702/79/F, S/1251/78/O, S/1458/76/F, S/0480/74/F, S/0682/71/D, S/0571/71/O, S/0255/71/O, C/69/452 and C/67/160/D.

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