



Planning Committee Date	18.01.2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/01972/FUL
Site	7 De Freville House, High Green, Great Shelford
Ward / Parish	Shelford/ Great Shelford
Proposal	Change of use-to-Use Class E(a) and external works.
Applicant	Co-operative Group Food Ltd
Presenting Officer	Nick Yager
Reason Reported to Committee	Called-in by Great Shelford Parish Council
Member Site Visit Date	
Key Issues	1.Highway Safety 2.Parking 3. Cycle Storage
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks planning permission for the change of Use-to-use Class (E) and external works.
- 1.2 The proposal is to allow the Co-Op to be relocated from their existing store at 76 High Street in Great Shelford.
- 1.3 The existing lawful use of the site remains as a furniture showroom.
- 1.4 Great Shelford Parish Council have commented in support of the application and called the application before Planning Committee. The application went before Delegation Meeting on the 15.11.2022. The panel decided that the application should be determined at Planning Committee.
- 1.5 The proposed change of use would lead to material harm to the highway safety with the under-provision of car parking and cycle storage within the curtilage of the site and undue risks that this has the potential to create, for cyclists (one of the more vulnerable highway user's groups) when legitimately using the Mandatory Cycle Lane on adjacent adopted public highway. The proposal has the potential to harm the surrounding neighbouring amenity by the under-provision of car parking.
- 1.6 The proposal is therefore contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.
- 1.7 Officers recommend that the Planning Committee refuse the application.

2.0 Site Description and Context

None relevant		Tree Preservation Order	x
Conservation Area	x	Local Nature Reserve	
Listed Building	x	Flood Zone 1	x
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The proposal site is located within the development framework and Conservation Area of Great Shelford. To the north of the site is Granhams Court and 2 Granhams Road. To the northeast of the site is Granhams Road and the Gables 1a Granhams Road. To the south of the site is High Green. High Green provides the main access to the site. There is a Mandatory Cycle Lane on each side of High Green. The site is located upon a corner plot of Granhams Road High Street Green.
- 2.2 The application site is approx. 63 metres from 21 High Green, Barn at De Freville Farm, De Freville Farmhouse and Farm building (Grade II listed). The site is located within flood zone 1 (low risk).
- 2.3 The site historically comprised a former public house (The De Freville Arms) which then operated as a furniture retailer (Class A1) for nearly 30 years. The building is attached to NY Wines and Bryan Turner Kitchens, the remaining floorspace is vacant. Above the unit are residential flats no 1-4 De Freville House.
- 2.4 To the north of the site is an area of car parking available for the current unit, adjacent units, and the residential flats. The rear car parking area did have a tree covered by a Tree Preservation Order TPO 0033 (2002). However, the tree has been granted removal under application S/0580/19/TP. The tree has since been removed from the car parking area.
- 2.5 The existing use of the site remains as a furniture showroom. Condition 3 of the furniture retail permission S/2425/87/F restricts the use of the application site to the storage and the sale of furniture and carpets and for no other purposes (including any other purposes in Class A1). Therefore, the application site does not benefit from the more recent flexible use classes under Class E.
- 2.6 The immediate surrounding land uses are residential including a variety of bungalows and residential properties.
- 2.7 The building is a two-storey building with brick and white rendering.
- 3.0 **The Proposal**
- 3.1 The application seeks planning permission for the material change of use to a shop (Class E) and external works.
- 3.2 The proposal seeks to relocate the existing Co-Op retail store from their existing store at 76 High Street in Great Shelford. The relocation would allow for a larger store. The existing store at 76 High Street has a total floor area of 200 sqm of which 47sqm is back of house.

- 3.3 The proposed retail store would extend to the entirety of the ground floor of Unit 7, with a total floor space of 373 m2. The sales area will comprise of 226 m2, back of house 117 m2 and 30 m2 will be for the internal plant.
- 3.4 The proposed external works are minor in nature and include the following: a new steel handrail, Soham security floor, 5 cycle stands, plant louvres and sliding entrance doors. The Plant is proposed to be located internally with louvres to vent the plant.
- 3.5 An off street car parking area is located within an area accessed off High Green. The parking is shared within NY Wines, Bryan Turner Kitchen and the residential flats located above the commercial units. The proposed submitted site plan shows 22 spaces. 15 spaces are allocated for the proposed store, 1 space is shown for NY wines, 4 spaces for the residential properties and 2 spaces shown for Bryan Turner Kitchens. The 2 spaces shown for the Bryan Turner Kitchens are located outside of the submitted redline boundary and are within the adopted public highway and therefore outside of the control of the applicant. The adjacent Mandatory Cycle Lane is located on High Green.
- 3.6 The entrance to the store would be located to the northeast facing upon Granhams Road. The store does not propose a rear entrance for customers to serve the car parking area.
- 3.7 The applicant has submitted further highway/transport information through the proposal in order to address/overcome the Highway Authority objections. This includes a Rebuttal Note and a further Transport Note. The Highway Authority was re-consulted on the additional information however, the Highway Authority maintained the application should be refused on highway safety. The Parish following the initial consultation response requested that the application should be reviewed at planning committee.

4.0 **Relevant Site History**

Reference	Proposal	Decision
S/2425/87/F	- CHANGE OF USE TO FURNITURE SHOWROOM	– Granted
S/1669/88/F	- USE OF FIRST FLOOR AS OFFICE	– Granted
S/0575/90/F	– Extension to Showroom	– Refused Application
S/1491/94/F	- EXTENSION TO FURNITURE SHOWROOMS	- Permitted
S/0948/04/F	- Fire Escape and Roof Garden for First Floor Flat Including Parapet Wall	– Granted
S/0875/14/FL	- Construction of two-storey extension on south-east side of building following demolition of existing single-storey extension. Change of	

use of first floor flat to main building to retail space. Extension to rear to provide additional retail/office space at ground floor with 1st floor extension above to provide 3no. flats. Construction of detached storage building and removal of chestnut tree. - Refused

S/1537/15/FL - Change of use of first floor flat to the main building for retail space. Extension to rear to provide additional retail office and cloakroom space at ground floor. First floor extension to provide 3 No. flats (2 No. net gain). – Granted

S/0991/16/FL - Change of use of first floor flat to the main building for retail space. Extensions to rear and side to provide additional retail office and cloakroom space at ground floor. First floor extension at rear and side to provide 3 No. 2 bedroom flats (2 No. net gain) – Granted

S/3452/16/DC - Discharge of Conditions 3 (Tree Protection) condition 4 (materials) condition 5 (window details) condition 6 (landscaping) and condition 11 (Construction Traffic Management Plan) of Planning Application S/0991/16/FL – Granted

S/0456/17/FL - Proposed demolition of single storey flat roof extension to rebuild one and a half storey extension and alterations – Granted

S/2809/17/DC - Discharge of Conditions 4 (Construction Traffic Management Plan) 5 (Tree Protection) & 6 (External Materials) of Planning Permission S/0456/17/FL – Granted

S/4461/17/VC - Variation of Conditions 1(b) and 5 and removal of Conditions 2 and 3 of planning permission S/2425/87/FL for change of use to furniture showroom – Refused

S/4463/17/FL - Installation of new shopfront plant and plant enclosure to rear new steel service door to rear of premises replace existing bollards with new stainless steel bollards - Permitted

S/3891/18/VC - Removal of Condition 5 (Sunday trading) of planning consent S/2425/87/FL for change of use from public house to furniture showroom – Granted

S/4542/18/FL - Change of use from furniture shop to mixed A1 (retail) and A4 (drinking establishment) – Granted

S/0580/18/TP – T1 Horse Chestnut to fell. Two replacement Magnoli Kobus trees to be planted to the front of the building (TPO 0033) (2002) T4).

20/02017/FUL – Change of use from Class A1 to Class A1, A2, B1 and D1 and erection of bin store and cycle parking – Granted

4.1 Planning permission was approved for the change of use of the former Public House (De Freville Arms) to a furniture showroom under S/2425/87/F. The planning permission was granted subject to five conditions. The conditions were as follows:

4.2 *Condition 1 a. An adequate space shall be provided within the site to enable vehicles to enter and leave in forward gear; park clear of the public highway; load and unload clear of the public highway.*

4.3 *Condition 1b. The permanent space to be reserved on the site for turning, parking and loading and unloading shall be provided before the commences and thereafter maintained.*

Reason: In the interests of highway safety

4.4 *Condition 2: the use hereby permitted shall not commence until space has been provided within the site to enable a minimum of 18 cars to be parked; such space shall not thereafter be used for any purpose other than the parking of vehicles.*

Reason: To ensure adequate car parking accommodation is provided on the site

4.5 *Condition 3: The premises shall be used for the storage and the sale of furniture and carpets and for no other purposes (including any other purposes in Class A1 of the Schedule to the Town and County Planning (Use Classes) order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.*

Reason: The site is not of sufficient size to accommodate adequate car parking facilities for a general retail use of the scale hereby permitted

4.6 *Condition 4: The use, hereby permitted shall not be carried out from any part of the premises until the existing use of the site as a public house cease.*

4.7 *Condition 5: The use of the premises for the purposes hereby permitted shall not take place other than between 0800 hours and 1800 hours on Monday to Saturdays, inclusive; the premises shall not be open on Sunday or Bank Holidays.*

Reason: To minimise noise nuisance and general disturbance to residents living adjacent to the site

4.8 The existing lawful use of the application site remains as a furniture showroom. Condition 3 restricts the previous permission to the storage and the sale of furniture and carpets for no other purposes (including any other purposes in Class A1). Therefore, the application site does not benefit from the more recent flexible use classes under Class E.

- 4.9 A planning application submitted in January 2018 by the Co-Op under S/4461/17/VC. The application sought to remove conditions 2 and 3 and variations of 1(b) and 5 of planning permission S/2425/87/F. However, this application was refused on the 31.10.2018 for the reasons below:
- 4.10 *The proposal does not adequately demonstrate that the operation parameters described within the application would not engender streetcar parking within the existing mandatory cycle lane to the detriment of highway safety.*
- 4.11 S/3891/18/VC was submitted following which granted the removal of condition 5 (Sunday Trading) attached to S/2425/87/F. The restrictive furniture shop (condition 3) and the minimum 18 car parking spaces (condition 2) were reimposed.
- 4.12 Planning permission 20/02017/FUL was granted in September 2020 for the material change of use of Unit 7 to Class A1, A2, B1 and D1 and the erection of bin store and cycle parking. The proposed description requires all uses to be present (A1 to A1, A2, B1 and D1) rather than just solely (Class A1) now Class E. This previous permission has not been implemented.

5.0 **Policy**

5.1 **National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Circular 11/95 (Conditions, Annex A)

5.2 **South Cambridgeshire Local Plan 2018**

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/7 – Development Frameworks

S/8 – Rural Centres

E/12 – New Employment Development in Villages

HQ/1 – Design Principles

NH/4 – Biodiversity

NH/14 – Heritage Assets

CC/8 – Sustainable Drainage Systems

CC/9 – Managing Flood Risk

SC/10 – Noise Pollution

SC/14 – Odour and Other Fugitive Emissions to Air

TI/2 – Planning for Sustainable Travel

TI/3 – Parking Provision

5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009

District Design Guide SPD – Adopted March 2010

5.5 **Other Guidance**

- 5.6 Conservation Area Appraisal Great Shelford 2007

6.0 **Consultations**

Parish Council – Support

28.06.2022

- 6.1 Having considered this application at their meeting on 20th June, Great Shelford Parish Council support this application and have commented that they feel it is a better location for the store and reduces the risks currently associated with the location where it is now.

05.07.2022

- 6.2 Great Shelford Parish Council have asked me to contact you to ask that this application be taken to the Planning Committee for determination. They have seen the comments from the Highways Officer and have very strong feelings about current highway concerns and would like the opportunity to share these with the committee in order that they can make an informed decision when deciding whether to approve or refuse the application.

16.08.2022

- 6.3 This comment is being submitted on 16th August 2022 after receiving an extension in time to submit the Parish Council's comments, from Nick Yager on 1st August 2022.

- 6.4 Having considered the applicants response to the Highways comments at their meeting on Monday 15th August, Great Shelford Parish Council continue to support the application and have the following comments.
- 6.5 Members agree with the rebuttal submitted by the applicant to the Highways comments. In particular they would like to draw your attention to:
- 6.6 The applicant has offered to provide double yellow lines, with double yellow kerb blips, accompanied by signage of 'No waiting at any time' and 'no loading at any time'. Great Shelford Parish Council feel this is very worthwhile and appreciated.
- 6.7 On page 2 of the rebuttal, the applicant has offered to provide 'armadillos' or similar. Members appreciate this consideration but would prefer to see demarcated lanes similar to those on Trumpington Road and Hills Road as it can be seen that armadillos can be a hazard to cyclists, especially if they catch one.
- 6.8 In addition, Great Shelford Parish Council supports the applicant in their attempt to deter parking on the road with their offer of installing bollards along the pavement.
- 6.9 Comments have been raised about the safety of the junction. It is not necessarily true that the junction will be any busier, however, members feel that should the junction become busier then at this point, it would be prudent to look at the design of the aforesaid junction.

County Highways Development Management – Object

Full comments are available on the Council's website

23.06.2022

Summary

- 6.10 The Local Highway Authority considers that the proposed development still has the high potential to engender the stopping of motor vehicles within the heavily used mandatory cycle lane on the eastern side of High Green which will force cyclists to enter a live motor vehicle traffic lane; this is an unexpected manoeuvre.
- 6.11 Insufficient off street parking provision in an environment where on street car parking is potentially very hazardous for one group of vulnerable highway users: cyclists. The maximum number of car parking spaces which the proposal could require is 24 for the proposed development alone. The site as a whole has the benefit of 22 spaces which include 2 spaces within the existing adopted highway which are not in control of the applicant.

- 6.12 When both stores would be open three of the fourteen generally available car parking spaces would be occupied by Noels Wines customers, leaving 11 for the Co-Operative Store.
- 6.13 The applicant provided data from three similar Co-Operative stores in Cambridgeshire. The count data it is clear that during the lunchtime and afternoon/early evening periods the vast majority of the car parks of the stores surveyed have more than 11 vehicles parked within them, which strongly infers that the level of proposed off street car parking is not sufficient for the proposed size of store and that as such on street car parking is likely.
- 6.14 The existing store does not have a car park; therefore, it is not comparable to the proposals. The provision of off-street parking will likely encourage more patrons to drive or will encourage passing drivers to stop as part of a linked journey e.g., stop in the shop on your way home.
- 6.15 Parking demand and standards – The car park may on average be within capacity, but that means at times it wont. Some dwell times will be above 9 minutes and vehicles wont always arrive and depart in a uniform manner as is being stated. A high turnover of vehicles could result in vehicle queues out of the site due to conflicts of vehicles manoeuvring into and out of spaces blocking the paths of others.
- 6.16 Proposed double yellow lines – This is only of permitted if the Traffic Regulation Order were to be approved prior to determination. In any case the same enforcement issue remains whether double yellow lines or the mandatory cycle lane requires enforcement.
- 6.17 The applicant has included two car parking bays that are within the adopted public highway. Their use cannot be designated for any single property and any vehicle that is taxed and insured may use these bays without time limit. The provision of these bays cannot be guaranteed as the Highway Authority has powers to control on street car parking if required. If the double yellow lines are installed as has been suggested by the applicant these bays would need to be removed as any vehicle parking within the bays would receive a penalty charge notice as the restriction would cover the whole of the adopted public highway up to the frontage of building of De Freville House.
- 6.18 Given the high potential for the availability of off street car parking to be limited throughout much of the trading day it is probable that a number of customers will chose to breach the law and stop in the Mandatory Cycle Lane while visiting the store, as stated above this is a significant risk to a vulnerable group of highway users.
- 6.19 Potential physical improvements to cycle lane (eg: upstand kerb) – This proposal would need to be considered as part of a comprehensive cycle scheme for the area. A short section of physical protection in isolation will not necessarily improve cycle safety. In any case this would be a maintenance burden on the Local Highway Authority.

- 6.20 25% of the deliveries are still be made directly to the NY Wine Store (I.e. not the off-site warehouse) and this is at their discretion and can't be conditioned.
- 6.21 The applicant has failed to account for the deliveries in its Transport Statement Addendum in respect to Bryan Turner Kitchen.
- 6.22 Appendix 1 shows that during the period of the deliveries for the proposed store only four car parking spaces are available (and the delivery vehicle blocks all the residential parking bays and the dedicated bay for Noels Wines). No timeframe for length of the deliveries has been given, but past applications for similar developments for the same applicant have stated that the Co-Op do not require specific refuse collections as the delivery vehicles also remove the refuse generated by the store. While this makes sense operationally it will increase the length of time that the delivery vehicle is stationary within the car park.
- 6.23 The applicant has failed to show how the more numerous small scale deliveries will service the proposed store and a swept path drawing showing this should be provided (if the car park is full where will such a vehicle turn).
- 6.24 The Transport Statement provided deals solely with the required level of car parking for the site and does not sufficiently address any safety issues that the development will have on the users of the public adoptable highway. The Local Highway Authority would again suggest that the previous 60 months accident records for the study area together with an analysis of any trends or clusters. This should be obtained from business.intelligence@cambridgeshire.gov.uk as the applicant does appear to obtained the information as recommended.
- 6.25 The proposed cycle parking is shown outside the red line of the development site and within the existing adopted public highway. The scheme requires a minimum of 14 cycle parking spaces (not the ten shown) and these should be accommodated within land under the applicants control. This has the potential to impact further on the limited number of car parking spaces that the site is able to provide.
- 6.26 There appears to be an insufficient number of disabled persons parking spaces based on maximum number of 24 spaces which would at 5% of the total require 1.2 spaces which should be rounded up to 2 spaces, only 1 space has been provided by the applicant.
- 6.27 No further information on how the parking requirements (either motorised or non-motorised) for the thirteen staff have been provided. At present they would be at liberty to park without time limit in the two bays shown as designated for the kitchen show rooms or use the cycle hoops within the adopted public highway
- 6.28 In accordance with paragraph 111 of the National Planning Policy Framework the Highway Authority requests that the above planning application be refused for the following reason: - unacceptable impact on highway safety.

15.08.2022.

- 6.29 No significant further information (only a plan showing the Vehicle Tracking for Extra Long Mercedes Sprinter) has been submitted by the applicant within the submitted ADL REBUTTAL NOTE 29.07.2022. The Local Highway Authority Highways comments submitted on the 23rd June 2022 remain unchanged following the submission of the rebuttal note.

03.11.2022

- 6.30 Further to the submission of the Transport Note dated 17th October 2022 the Local Highway Authority has the following comments:

- 6.31 The assessment of the car parking requirements as provided by ADL within the submitted Transport Note is basically flawed as still showing 22 spaces which includes 2 spaces within the public highway. This is not the case. The site benefits from 20 car parking spaces which are under the control of the applicant. The application of the appropriate number of off highway car parking spaces that the site has demonstrates that the car park has the strong potential to be over capacity on a significantly higher number of occasions than the data present by ADL would suggest, leading to a higher potential for customers to stop within the mandatory cycle lane, with all the inherent risks that this creates.

- 6.32 The Highway Authority's request that the application be refused on the grounds of highway safety, therefore, still stands.

Sustainable Drainage Officer – No Objection

- 6.33 Please can the applicant confirm there are no external changes to either the building or external surfacing?

Conservation Officer – No Objection

- 6.34 It is considered that there are no material Conservation issues with this proposal.

Tree Officer – No Objection

- 6.35 I have no arboricultural objections. There are trees on or adjacent to this site address that are with a Conservation area.

Environmental Health –No Objection

- 6.36 The applicant has submitted a noise assessment. This methodology is considered suitable for use given the proposed development. It is noted, the

potential for significant adverse impact from noise whilst deliveries are being handled. Though there are some mitigating circumstances as mentioned in the assessment, this department agrees with the recommendation that a Noise Management Plan should be developed and submitted to the local authority.

6.37 Therefore, suggested condition of detailed Noise Manage Plan should be submitted prior to occupation and a informative stating the granting of this planning permission does not indemnify against statutory nuisance action.

7.0 **Third Party Representations**

7.1 Third party comments have been received in support and objection to the application;

7.2 Those in objection have raised the following issues:

- Highway Safety
- Traffic and Parking Problems
- Currently a busy location and become gridlocked when Granhams Road rail is closed or when someone parks on Granhams Road.
- Rather than traveling or walking to the centre of Shelford they will complete by car therefore increasing traffic
- If Co-Op traded on High Green, I suspect a number of the customers would park immediately off the main road entrance and block entrance to the fields
- The Number of Parking Spaces Earmarked for Co-Op Customer use Assessed against Demand
- Traffic Volume Counts the amount of vehicle traffic that flows along the A1301/ Granhams Road – the proposed site of a convenience store is significantly greater than the traffic that flows
- ADL have failed to demonstrate that the car park would be adequate for use as a convenience store car park,
- Convenient legal off-site vehicular parking facilities close to unit is insufficient
- Road Safety Proximity of tun Unit 7 Site to the Mandatory Cycle Lane
- Not enough parking for the store
- Significant traffic increase in recent years
- Inadequate room for delivery lorries
- Railtrack require access essential central to signalling and electoral facility serving the main Cambridge
- Proposed store adds nothing extra or new to local amenities
- The proposed store is situated sufficiently far away from the centre of the village

7.3 Those in support have given the following reasons:

- Makes perfect sense in this location to have the Co-Op with associated

parking.

- Current Co-Op in the village is too small.
- Shelford is growing and we need more amenities outside of the centre of the villages which makes it easier for people, walk cycle. There is parking on site, perfect location.
- The parking in Great Shelford Village is not sufficient and this most definitely will help to reduce the congestion
- Reduce congestion within the High Street Great Shelford
- Dedicated parking and delivery locations
- Access parking and servicing store
- Existing store could then return into a house
- Cycle lane is not busy the car park is hardly used
- Most customers would use the car park and not the cycle lane
- The existing building should be occupied and not left empty and longer
- Do not want to lose the Co-Op from Great Shelford

7.4 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

8.0 **Assessment**

8.1 **Principle of Development**

8.2 Policy S/7 of the Local Plan states that Development and redevelopment of unallocated land and buildings within development frameworks (as shown on the Policies Map) will be permitted provided that:

- a. Development is of a scale, density and character appropriate to the location, and is consistent with other policies in the Local Plan; and
- b. Retention of the site in its present state does not form an essential part of the local character, and development would protect and enhance local features of green space, landscape, ecological or historic importance; and
- c. There is the necessary infrastructure capacity to support the development;

8.3 The application is located within the development framework of Great Shelford, which is indicated as a Rural Centre by Policy S/8 of adopted Local Plan.

8.4 Given the existing restrictive retail use on Unit 7, this application is seeking planning permission for unrestricted use of the premises as a shop under Class E(a).

8.5 Given the principle of retail use of the premises has already been established there is no requirement to provide a retail impact assessment. In any event, the floorspace of the unit is below the threshold for Rural Centres (500m²) set out within Policy E/22.

- 8.6 The proposal would enable a larger Co-op store to serve the village and also provide a small increase in employment.
- 8.7 Overall, the proposal is in accordance with S/7 and S/8 and therefore, the principle of development is acceptable.

Highway Safety, Transport Impacts and Car Parking

- 8.8 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 8.9 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 8.10 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.11 The application is supported by a Transport Statement. Additional information was then submitted by the applicant in the form of an ADL Rebuttal Note submitted on the 01.08.2022 and an additional Transport Note submitted on the 20.11.2022.
- 8.12 Policy TI/3 of the Local Plan states that Car parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11. These are minimum parking standards.

Car Parking Provision

- 8.13 The proposed retail store would extend to the entirety of the ground floor of Unit 7, allowing for a total floor space of 373m². Policy TI/3 requires 1 space per 14 sqm² of the gross floor area of a retail food shop. The proposed total floor area is 373m² and $373/14 = 26$. Therefore, the proposed retail unit would require 26 car parking spaces based on the parking standards set out within the Local Plan (15 are proposed including 1 disabled space).
- 8.14 It is important to note that the planning permission for the wine bar and wine shop (S/4542/18/FL) included a car parking layout and a condition which required car parking for the 4 flats and 1 visitor space to be provided as part of the development. The total parking provision identified on the approved plans for this application was 22 spaces (17 for the commercial units and 5 for the residential use). The proposal would seek to retain the 4 spaces for the flats but has not included a visitor parking space as per this permission, which has been implemented.

- 8.15 Therefore, taking account the requirements of this proposal and the extant planning permission, the total parking provision for the entire site is; Residential use – 5 spaces, NY wines – 1 space, Bryan Turner Kitchens – 2 spaces and Co-op – 26 spaces; providing a total of 34 spaces.
- 8.16 The submitted block plan shows that there to be 22 spaces however, 2 spaces are located outside of the control of the applicant and are situated in the public highway. However, although they are outside the application site for this application, they were included within the application site under application S/4542/18/FL. Therefore, officers' views are that despite concerns raised by the highway authority, it is reasonable to consider these spaces within the calculations in terms of car parking capacity for the whole development. Nevertheless, even with their inclusion, there is still a shortfall of 12 spaces when assessed against the parking standards in policy TI/3.
- 8.17 The location of the store is on the main distributor road (A1301) through the village which includes a dedicated (Mandatory) cycle lane on each side. Officers have raised concerns that the location will result in greater car borne trips than that which may exist with the existing store, particularly in association with linked trips commuting to and from Cambridge. Further, noting the surrounding area, there are no other options for parking along High Green and Granhams Road without impeding vehicle, cycle or pedestrian movements. On this basis, given the under provision of off street parking, the Highway Authority considers that users would park along the adopted highway within the cycle lane to gain access to the site, to the detriment of highway safety, particularly for cyclists.
- 8.18 The applicant's additional Transport Note contained a parking survey in order to understand the parking demands of the application site. The parking survey identified the potential for some short-lived minor overspill of car parking. The Highway Authority consider this data adds weight to their concerns regarding the under provision of suitable car parking within the curtilage of the site and the undue risks that this has the potential to create, for cyclists (one of the more vulnerable highway user's groups) when legitimately using the Mandatory Cycle Lane on adopted public highway.
- 8.19 The Highway Authority have identified that there appears to be an insufficient number of disabled persons parking spaces. The previously approved parking layout under application S/4542/18FL showed 1 disabled parking space. There are no standards set out within the Local Plan for disabled parking provision, however reference is made to meeting national guidance. With reference to the Inclusive Mobility Best Practice guidance (Department for Transport 2021), for existing employment premises, 2% of parking capacity should be provided for blue badge holders with a minimum of 1 space. The proposal is therefore, considered acceptable in this regard.
- 8.20 The Highway Authority has also raised concerns regarding the impact on demand for use of the car park by members of staff. The applicant has stated there would be 13 members of staff anticipated to be employed for the proposal in a mixture of full and part time roles, only 2-3 member of staff are

on site at a time. The parking standards do not differentiate between customer and members of staff in terms of demand and therefore, it is not considered that the potential use by staff adds further demand to the shortfall identified. Nevertheless, the applicant has advised staff would be encouraged to travel to site by sustainable modes of transport.

- 8.21 The entrance of the store is located upon Granhams Road there is not a rear entrance from the car park into the store. Therefore, users would have to walk out of the car park and along High Green to the entrance upon Granhams Road which is approx. 30 metres. Whilst this is not a significant distance, the lack of direct link into the store from the car park may deter some customers from using the car park and adds further concern that indiscriminate car parking will take place within the public highway, including the cycle lanes.
- 8.22 The applicant has suggested that physical improvements (upstanding kerb or “armadillos”) to the public highway (cycle lane) could be installed or a Traffic Regulation Order (double yellow lines) imposed. The Highway Authority note a separate approval process for a traffic regulation order is required (which is not guaranteed) and the same enforcement requirements would still be necessary (enforcing illegal parking within the mandatory cycle lane), even if it were granted. Any physical barrier is considered to be a danger to cyclists and would not be appropriate over such a short distance within the cycle lane. These options are therefore, not considered to be appropriate solutions to overcome the harm identified. Therefore, despite the information presented by the applicant, concerns with regard to the lack of off-street parking remain in relation this proposal.
- 8.23 The Parish Council commented in support of the application and support the applicant in their attempt to deter parking on the road. However, for the reasons stated above concerns are raised in relation to the physical improvements.

Deliveries/Servicing

- 8.24 Deliveries will be undertaken within the car park and the Transport Statement notes that these would be undertaken during quieter periods of trade and that 1-2 deliveries per day would take place by an 18T HGV (10.35m long) rigid vehicle. There would also be separate deliveries from LGV vans (up to 7.2m in length), with shorter stays (5-10 minutes) required. The Highway Authority consider that during the period of the deliveries for the proposed store, only four car parking spaces are available (and the delivery vehicle blocks all the residential parking bays and the dedicated bay for Noels Wines). However, the vehicle tracking (swept path analysis) indicates for a HGV arrival, 5 parking spaces would be impacted by the vehicle movement (3 of these would only be temporarily affected for manoeuvring purposes). 2 parking spaces (spaces 1 and 2) on the southern boundary would be occupied for the duration of the delivery. No timeframe for length of the deliveries has been provided but it is noted that for similar developments for other Co-Op stores, this will include a refuse collection. While this makes sense operationally it will increase the length of time that the delivery vehicle is stationary within the car

park. The applicant proposed that deliveries could be managed via a Delivery Management Plan including restrictions on when deliveries can take place (i.e. outside peak travel times). However, this is not supported by the Highway Authority given the concerns already raised about impacts on the highway network in relation to a shortfall of car parking on site and that this will be further exacerbated by the impact of deliveries.

- 8.25 In terms of reference to the planning history it is worth noting, the original planning permission included condition 3 which restricted the type of retail use, with the reason for the condition being; the site was not of sufficient size for a general retail use as it could not provide suitable car parking facilities. The application by the Co-op in 2018 (S/4461/17/VC) was also refused because of concerns regarding the impact of an intensification of the retail use of the site due to a lack of off- street parking and impact upon cyclists using the cycle lane within the public highway. The assessment in relation to this application is therefore, consistent in this regard.
- 8.26 The proposal fails to provide an appropriate level of off street parking in an area of significant vehicle and cycling movements. This will result in indiscriminate parking within the public highway which, due to the location and layout of the road network in the vicinity of the site, is unable to absorb the necessary capacity through legal on street parking. Servicing of the premises would also further reduce car parking availability on site each day, increasing the likelihood of indiscriminate parking in the public highway. The proposal would therefore, result in material harm to highway safety, particularly cyclists, one of the more vulnerable highway user groups, when legitimately using the Mandatory Cycle Lane on adopted public highway. The proposal is therefore contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.

Cycle Parking Provision

- 8.27 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards which, for retail units, is 1 space per 25m².
- 8.28 The proposed cycle parking is shown outside the red line of the development site and within the existing adopted public highway. The scheme requires a minimum of 15 cycle parking spaces (not the ten shown) and these should be accommodated within land under the applicant's control. Given the shortfall in car parking, provision should be made to encourage sustainable forms of transport to the site, particularly as the site is already serviced by the existing cycle network. However, as this is not achieved there is less incentive for customers and/or staff to travel sustainably to the site. Given the constraints of the site, if such provision was made, it would also likely further reduce the availability of on site parking. This adds further weight to the concerns

regarding on site parking provision and lack of provision to support sustainable forms of travel to and from the site.

- 8.29 The proposal therefore, fails to provide appropriate on site cycle parking provision to promote sustainable forms of transport, contrary to policies HQ/1, TI/2 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

Design, Layout, Scale and Landscaping

- 8.30 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 8.31 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 8.32 The proposed external works are minor in nature and include the following: a new steel handrail, Soham security floor, 5 cycle stands, plant louvres and sliding entrance doors. The Plant is proposed to be located internally with louvres to vent the plant. The building retains its existing character, design, scale and massing. The overall appearance and character of the building will not change with the submitted proposal. The proposed steel handrail, Soham steel security doors and plant louvers are located facing towards the car parking area and therefore screened from the existing building. The insertion of the cycle stands would not appear of out character noting the surroundings along High Green.
- 8.33 The proposal is therefore not considered to lead to any material harm to the character of the area and the design and context of the existing building.
- 8.34 The Council's Tree Officer has raised no arboricultural objections. The proposed works due to the minor nature would not harm the surrounding trees. Within the rear car parking area did previously have a tree covered by a Tree Preservation Order TPO 0033 (2002). However, the tree has been granted removal under application S/0580/19/TP. The tree has since been removed from the car parking area. The proposal is therefore considered to be acceptable in terms of impact upon trees.
- 8.35 Overall, the proposed development would contribute positively to its surroundings. The proposal is therefore, compliant with South Cambridgeshire Local Plan (2018) policy HQ/1.

Heritage Assets

- 8.36 The application falls with the Great Shelford Conservation Area. The application site is located approx. 63 metres from 21 High Green, Barn at De Freville Farm, De Freville Farmhouse and Farm building (Grade II listed) buildings which are opposite the site. The application site is mentioned within the Conservation Area Appraisal Great Shelford 2007.
- 8.37 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.
- 8.38 Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.39 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 8.40 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area.
- 8.41 The proposal includes external works of a minor nature. These are; a new steel handrail, Soham security floor, 5 cycle stands, plant louvres and sliding entrance doors. The plant is proposed to be located internally with louvres to vent the plant. The proposal due to its minor external works is not considered to lead to any material harm upon the heritage assets. The proposal would not lead to any significant impacts to the surrounding Conservation Area and the setting of the listed buildings opposite. The proposal will retain the existing building character and design. Any proposed advertisements would require separate advertisement consent.
- 8.42 The Conservation Officer was consulted on the proposal has raised no objections.
- 8.43 It is considered that the proposal would preserve the character of the Conservation Area. The proposal is therefore, compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy NH/14.

Biodiversity

- 8.44 As part of delivering sustainable development the NPPF identifies an environmental objective which includes amongst other things, improving biodiversity. Paragraph 174 of the NPPF also states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. The Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/4 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 8.45 Noting the minor nature of the external works and not increase the size of the existing commercial unit, it is not considered the proposal would lead to any material harm to the ecology of the area. It is therefore, not considered reasonable or necessary to include conditions relation to provision of ecological enhancements or biodiversity net gain.
- 8.46 Officers are satisfied that the proposed development complies with the NPPF, policy NH/4, the Biodiversity SPD 2022 and 06/2005 Circular advice.

Water Management and Flood Risk

- 8.47 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 8.48 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The Drainage Officer was consulted on the proposal and asked the applicant if they could confirm there are no external changes to either the building or external surfacing. Due to the minor nature of the external works located within a low-risk flood zone 1 and the factor that hard standing will not be increasing the proposal will not increase with the risk of flooding.
- 8.49 The proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

Amenity

- 8.50 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 8.51 The minor nature of the proposed external works by their nature will not lead to any overbearing, loss of light or overlooking effects.

- 8.52 The application site is surrounded by neighbouring amenity to the north, east, south and west across High Green Road. Further, there are four residential properties located above the application site at 1st floor level. The application site has an hours of use restriction associated with its former use as a furniture showroom which is; between 0800 hours and 1800 hours on Monday to Saturdays, inclusive; the premises shall not be open on Sunday or Bank Holidays. The planning permission that has been implemented (S/4542/18/FL) includes a condition which restricts the use of the premises from 11:00-23:00 Monday to Saturday and 11:00-16:00 on Sundays and public/bank holidays. The proposed change of use would lead to an intensification of the site in terms of hours of use which is from 07:00-23:00, 7 days per week. Noise and disturbance and therefore consideration needs to be sought in terms of the impacts upon the existing residential properties surrounding and above the site by virtue of noise and disturbance.
- 8.53 The applicant has submitted a noise assessment in accordance with BS:4142, "Methods for rating and assessing Industrial and Commercial sound" to consider the impact the development may have on the surrounding area. The Environmental Health Officer was consulted on the application and stated methodology is considered suitable for use given the proposed development of this nature. It is noted that in the report, there is the potential for significant adverse impact from noise whilst deliveries are being handled. Though there are some mitigating circumstances within the recommendations as mentioned in the assessment. The Environmental Health Officer stated that a Noise Management Plan should be developed and submitted to the local authority. The Environmental Health Officer then stated that that a condition requiring that prior to first operation of the premises, the applicant shall provide a detailed Noise Management Plan (NMP), which is reasonable in this instance if the application was recommended for approval.
- 8.54 The proposed convenience store would expect to receive 1-2 depot deliveries per day as well as additional local supply deliveries. Conditions would need to be placed on the application that deliveries would not be undertaken at anti-social hours (via a Delivery Management Plan as set out above) and that opening hours were sensitive to residential uses within and adjacent to the site, if the application was recommended for approval.
- 8.55 Subject to conditions, it is considered that the amenity of existing residents could be appropriately mitigated to ensure there were no adverse impacts from noise and disturbance associated with the use of the premises. The suggested conditions would be applied if the application was recommended for approval.
- 8.56 Subject to conditions, the proposal would be unlikely to cause material harm to the living condition of amenity of its surrounding neighbours. The proposal is in accordance with HQ/1 of the South Cambridgeshire Local Plan 2018.

9.0 Third Party Representation

9.1 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the tables below:

Third Party Comments in Objection	Officer Response
High Safety and Parking Concerns.	The Highway Authority have assessed the application site in its current form and consider the proposal due to the under provision to be harmful highway safety and parking of the area.
Rather than traveling or walking to the centre of Great Shelford they will travel by car therefore increasing traffic.	This is noted, the location of the store outside of the village centre would lead to more of the customers to travel by car which increases traffic and puts additional pressure on the car parking of the site.
Inadequate room for lorry delivery.	Deliveries will be undertaken within the car park. Deliveries is not supported by the Highway Authority given the concerns already raised about impacts on the highway network in relation to a shortfall of car parking on site and that this will be further exacerbated by the impact of deliveries.
The submitted transport information has failed to demonstrate the application car park is suitable. Concerns with the traffic flow date.	This is noted and included as a reason for refusal as explained within the Highway Safety section of the report. The Highway Authority have assessed the submitted data and maintain their objection.
The proposed store is situated sufficiently far away from the centre of the village. The proposed store adds nothing extra or new to local amenities.	The proposed store is located away from the village centre. This provides benefits as will provide additional amenities outside of the village centre. However, in this instance this does not outweigh the material harm to the highway safety identified. The location of the store being outside of the village centre raises concerns as customers would be more likely to drive to the location.
Railtrack require access essential central to signalling	Comments reived relating to the Railtrack. The Highway objection relates to the proposal leading to an under provision of off-street

and electoral facility serving the main Cambridge.	parking harming leading to harm to the highway safety.
Third Party Comments in Support	Officer Response
Better location for the new Co-Op and reduces the risks currently associated with the location of the site.	It is noted the proposal would provide some access to parking as the existing store does not provide. Further, the store in this location provides facilities outside of the village centre. However, the proposal will lead to harm as identified by the Highway Authority upon the highway safety and parking of the area.
Parish Council have stated that is not necessarily true that the junction will be any busier. However, should the junction become busier then at this point, it would be prudent to look at the design of the junction.	The Highway Authority have assessed the application site in its current form and consider the proposal to be harmful highway safety and parking of the area.
The current store is too small.	The proposal would lead to an increase of the floor area of the existing Co-Op. The proposed store would have a floor area of 173m ² larger than the existing. However, the proposal would lead to material harm to the highway safety and parking of the area.
Shelford needs more amenities outside of the village centre.	It is noted the economic benefits of providing a store upon the outside of the Village Centre providing jobs and services to the community. However, in this location this does not out weight the material harm upon the highway safety and parking or the area.
The parking in Great Shelford Village is not sufficient and this most definitely will help to reduce the congestion. Reduce congestion along Great Shelford	Planning applications are assessed on their own merits. The existing store does not have access to its own parking. The congestion of the existing store within the village centre does not overcome the material harm to the highway safety that the proposed store would create.

Dedicated parking and delivery locations.	The proposal would have allocated parking and delivery locations within the existing car park. However, the under provision of car parking would lead to material harm to the highway safety and car parking of the area.
Existing store could then return into a house.	The re-use of existing building would be in the control of the owners and outside of the planning system.
Cycle lane is not busy the car park is hardly used.	The Highway Authority has confirmed the proposed store would lead to material harm upon the adjacent cycle lane.
Most customers would use the car park and not the cycle lane.	The concerns raised by the Highway Authority is that the proposal would lead to material harm to the cycle lane due to the under provision of onsite car parking provided.
The existing building should be occupied and not left empty and longer.	It is noted a benefit of the scheme that the existing site remains current vacant, and the proposal would bring the building back into use. However, in this instance this does not outweigh the harm to the highway safety and car parking of the area.
Do not want to lose the Co-Op from Great Shelford.	The proposal is for a change of the use of the application site. The loss of the Co-Op would be outside of the planning system if the existing store was to relocate.

10.0 Other Matters

- 10.1 Waste/ refuse bin location is shown within the northern corner of the car park within an area of the rear car parking, which is reasonable.

11.0 Planning Balance

- 11.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 11.2 The proposal would contribute to the local economy including the provision some limited additional employment jobs, a larger convenience store to serve the village and additional local spend. Further, the proposal would contribute to the re-use of a building that is current vacant within the development

framework of Great Shelford. Whilst these are benefits of the scheme, they carry limited weight and do not outweigh the harm identified above.

- 11.3 The proposal would lead to material harm to the highway safety with the under provision of on site car and cycle parking. It is considered this will lead to indiscriminate parking within the public highway, including a Mandatory Cycle Lane. This will result in undue risks for cyclists (one of the more vulnerable highway user's groups) when legitimately using the Mandatory Cycle Lane on the adopted public highway. Off site servicing arrangements will also exacerbate harm in terms of occupying car parking spaces. Furthermore, the proposal fails to provide appropriate cycle parking to encourage sustainable means of travel to and from the site.
- 11.4 The proposal is therefore contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.

12.0 Recommendation

Refuse for the following reasons:

1. The proposal fails to provide an appropriate level of off street parking in an area of significant vehicle and cycling movements. This will result in indiscriminate parking within the public highway which, due to the location and layout of the road network in the vicinity of the site, is unable to absorb the necessary capacity through legitimate on street parking. Servicing of the premises would also further reduce car parking availability on site each day, increasing the likelihood of indiscriminate parking in the public highway. The proposal would therefore, result in material harm to highway safety, particularly cyclists, one of the more vulnerable highway user groups, when using the Mandatory Cycle Lane on adopted public highway. The proposal is therefore, contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.
2. The proposal fails to provide adequate cycle storage to a sufficient standard. The proposed cycle parking is shown outside the red line of the development site and within the existing adopted public highway. The scheme requires a minimum of 15 cycle parking spaces within the application site. Given the shortfall in car parking, provision should be made to encourage sustainable forms of transport to the site, particularly as the site is already serviced by the existing cycle network. The proposal, therefore, fails to provide appropriate on site cycle parking provision to promote sustainable forms of transport, contrary to policies HQ/1, TI/2 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

