

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

**S/0898/06/F – Willingham
Erection of Shop with Flat Over at 23 Church Street
for Whitfield Group**

**Recommendation: Approval
Determination Date: 29th June 2006**

Members will visit the site on Monday 3rd July 2006

Conservation Area

Site and Proposal

1. The site lies in the heart of the village to the east of the Grade I Listed Church of St Mary and All Saints. It currently contains a single storey timber building with a metal profile sheet roof. The front portion of the building has a Class A1 shop use and to the rear B1 offices.
2. There is no off-street parking available.
3. The full planning application, received 4th May 2006, proposes to replace the existing structure with a part single storey, part two storey and part three storey building for a ground floor shop and two bedroom flat at the upper levels. The shop would have a floor area of approximately 67m². The height of the building ranges between approximately 6.7m for the front two storey element, 8m for the three storey element and 4.3m for the rear single storey element.

Planning History

4. In January and July 1979 planning permission for the rebuilding of a shop and hairdressing salon was refused and an appeal dismissed, respectively, on design grounds.
5. In July 1979 planning permission was refused for a dwelling.
6. In August 1980 planning permission was refused for the use as a café.
7. In January 1991 planning permission was granted for the use for the sale and service of power tools.
8. In March 2004 the Council refused to grant a Lawful Development Certificate for hot food preparation which was considered to be an A3 use that was not consistent with the B1 use of the rear of the premises.
9. In September 2004 a retrospective application for the change of use to food preparation for off site delivery and erection of extraction flue was withdrawn.
10. Enforcement action subsequently led to the cessation of this use and the removal of an unauthorised flue.

11. Conservation Area Consent for demolition of the existing building has recently been approved.

Planning Policy

12. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (the structure plan) states (in part) that a high standard of design and sustainability will be required for all new development which minimises the need to travel and reduces car dependency by providing an appropriate mix of land uses and accessible services and facilities, provides a sense of place which responds to the local character of the built environment, includes variety and surprise within a unified design, conserves important environmental assets of the site and takes account of community requirements by including a mix of housing opportunities in residential developments.
13. **Policy P7/6** of the Structure Plan – Historic Built Environment
“Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.”
14. **Policy SE2** of the South Cambridgeshire Local Plan 2004 (the Local Plan) – List of Rural Growth Settlements states (in part) that residential development and redevelopment will be permitted on unallocated land within village frameworks of Rural Growth Settlements provided the retention of the site in its present form is not essential to the character of the village, the development would be sensitive to the character of the village, and the amenities of neighbours and would not conflict with other policies of the Plan.
15. **Policy HG10** of the Local Plan – Housing Mix and Design requires the design and layout of schemes to be informed by the wider character and context of the local townscape. Schemes should achieve high quality design and distinctiveness avoiding inflexible standards.
16. **Policy SH9** of the Local Plan – Extensions to shops states that “The District Council will permit extensions to village shops if the proposal is sympathetic to the general environment in terms of siting, design, layout, materials and parking standards.
17. **EN28** of the Local Plan – Development within the Curtilage or Setting of a Listed Building.
This policy states (in part) that proposals will be refused which would damage the setting, well-being or attractiveness of a Listed Building or would harm the visual relationship between the buildings and its formal or natural landscape surroundings.
18. **EN30** of the Local Plan – Development in Conservation Areas states (in part) that proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas especially in terms of their scale, massing, roof materials and wall materials. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.
19. **Policy DP/1** of the Local Development Framework Submission Draft 2006 is concerned with the sustainability of development, **DP/2** the design of new development, **DP/3** development criteria, **DP/7** with development within village frameworks, **HG/2** housing mix, **SF/4** retailing in villages, **CH/4** development within the curtilage or setting of a Listed Building, **CH/5** conservation areas and **CH/9** shop fronts. These policies do not materially differ from the Development Plan policies highlighted above in so far as they relate to the proposal.

Consultation

20. **Willingham Parish Council** recommends refusal. It states:

“The Parish Council do not object to redevelopment of this site in principle. However, they recommend refusal, on the grounds that:-

- a. They would want any building on this site, in the heart of the village and near the historic parish church, to be more in keeping with the area.
- b. In particular, the height of the building (with the flat on 2 levels above the shop) would impact adversely on the street scene.
- c. If a business of any kind is to be built on this site, the Parish Council would wish to draw the District Council’s attention to the issue of parking, which is already a problem along this stretch of Church Street.

21. **Conservation Manager**

“I had several pre-application discussions with the architect on these proposals. The site currently has a very unsightly structure and the proposals represent an opportunity to enhance the Willingham Conservation Area. I am satisfied that the proposed building will improve the streetscape. The front gable has been revised so as to respect the height of the Victorian building adjacent to the west. The detailing of the shop front and the projecting first floor bay will be critical to the success of the scheme and, in the event of the scheme being approved, I would wish to see conditions added for these details to be agreed in advance of construction commencing. Any signage for the shop unit will also need to be the subject of a separate approval (and I am not sure how the current shop front would accommodate any signage). Windows would need to be in painted timber and brick and tile samples would also need to be agreed. Finally, details of hard surface treatments in and around the entrance area would also need to be agreed.

Recommendation:

No objection (subject to comments above)”

22. **English Heritage**

Does not wish to comment. It states the application should be determined in accordance with national and local policy guidance, and on the basis of the Council’s conservation advice.

23. **Old West Internal Drainage Board**

Makes no comments

Representations

24. Two letters have been received from the occupiers of No. 21 Church Street and the owners of No. 25.

25. *No. 21*

Objects for the following reasons:

The new building will fill almost the entire plot and be higher than either of the neighbouring properties. It would be extremely imposing and inappropriate.

26. No provision for residential off street parking has been made.

27. The main entrance should not be to the side. Banging doors could become a severe annoyance.

28. The covered shop entrance should not be physically attached to No. 21 or posts sunk close to the wall.
29. The usage of the building should be clearly defined so that there is no doubt that A3 food usage classification would not be permitted.
30. It is vital that the materials fit in with the environment as the proposal is within the Conservation Area.
31. *No. 25*
No objections to the proposal but would object strongly if the future use were A3 or upwards.

Planning Comments – Key Issues

32. The key issues to consider in the determination of this application are:
 - a. The visual impact of the development and its impact on the setting of nearby Listed Buildings and the character and appearance of the Conservation Area.
 - b. The impact on occupiers of neighbouring properties.
 - c. Highway safety.
33. *Visual impact/Listed Buildings setting/Conservation Area*
The application has been submitted following pre application discussions with officers. The design has been revised to fit more comfortably within the street scene. The simple shop front has been achieved by repositioning the main entrance to the side. The projecting and overhanging window is felt to be an attractive feature and the impact of the height has been lessened by reducing the size of the front gable and stepping the higher element back so that the main impact is not on the immediate street frontage.
34. The building is to be higher than both dwellings either side but only by some 1.2m and only at its central element. This is not felt to adversely affect the street scene and will add variety to the design and help to break up the apparent bulk of the roof.
35. Although this proposal is for a building of significantly greater bulk than the existing structure its superior design and appearance will represent an enhancement to the character and appearance of the Conservation Area. I am mindful of the comments of the Conservation Manager who is supporting this proposal.
36. The new building would obscure more of the views of the church than the existing and prevent views from the street of the window in its eastern end. However, a recent extension to No. 21 has already done much to obscure this view and I am not convinced that this proposal should be refused for this reason. I note that English Heritage has made no comments in relation to the impact on the setting of Listed Buildings.
37. ***Neighbour amenity***
The building has been designed to step down towards the rear to reduce the impact of the buildings mass on occupiers of both of the adjacent dwellings. No. 21 has an existing rear single storey extension. The proposed rear two storey element of this scheme would not project beyond it and the single storey element is not considered to be overbearing with its eaves height little higher than a normal fence height.
38. There are no windows in the eastern side of building that could potentially result in overlooking of No. 25 and only two windows in the roofspace of the rear element that could potentially cause a problem to No. 21. These could be conditioned to be no less

than 1.7m above finished floor level. At this height it is not readily possible to gain views out and down into the garden of No. 21.

39. The main bulk of the front of the buildings has been set back approximately 1.4m from the back of the pavement to allow approximately 45° clear from the centre line of the front facing ground floor window of No. 25.
40. Any attachment of the covered entrance to the wall of No. 21 would be controlled through the Party Wall Act but in my view it would not in any case be unreasonable for posts to be erected within the application site.
41. With regard to noise from a banging shop door. I consider this is unlikely to be material when heard through the wall of No. 21. There are no windows in the side of this property that would allow the sound to travel through more easily.
42. **Highway Safety**
The proposal does not include any off-street parking. However, the existing shop and B1 office use has no parking either. I do not consider the proposed use as shop and flat will necessarily result in any greater number of vehicles coming to and from the site than the existing uses notwithstanding the increase in floor area. A cycle storage area is provided and I would anticipate that the flat may be occupied by non car users.
43. **Other matters**
The proposal retains a shop which is of benefit to the village. The loss of the small office space is not a material loss of employment in the village and the formation of a small unit of accommodation will help to add to the mix of dwellings available in Willingham.
44. I consider a further improvement to the scheme would be to extend the shop front window forward to the back edge of the footpath to enable the side entrance to be brought forward. This would allow easier access into the shop and would negate the need for the covered area. This could improve the security of the building by removing an area that might be problematic when the shop is closed at night. I do not consider these matters to be material enough to justify refusal but the applicant has been approached with a view to considering these changes as an amendment to the scheme. Members will be updated at the meeting if any changes have been agreed.

Recommendation

45. Approval subject to conditions to require details of materials for walls, roofs, windows and doors prior to development commencing, no further windows in first floor elevations, windows to bedroom 1 to be no less than 1.7m above finished floor level and boundary treatment to be agreed. An additional condition limiting the use to A1 (shop use) only is reasonable for the avoidance of doubt as the description of the proposal does not refer to a specific use class.

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
- Local Development Framework Development Control Policies Development Plan Document Submission Draft January 2006
- Planning File reference S/0898/06/F

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