

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Development and Conservation Control Committee

5<sup>th</sup> July 2006

**AUTHOR/S:** Director of Development Services

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**S/0956/06/F – Gamlingay  
Decking/Ramp and Fences (Retrospective Application)  
The Wheatsheaf Public House, 92 Church Street for B R Gardner**

**Recommendation: Refusal  
Date for Determination: 6<sup>th</sup> July 2006**

### Conservation Area

#### Site and Proposal

1. The Wheatsheaf Public House is a Grade II listed building that sits at the junction with Church Street and Church Lane, within both the Gamlingay Conservation Area and village framework. Adjacent to Church Lane there is an area of parking serving the public house, to the south and west of which is located the curtilage of St Mary's Cottage. In the summer of 2005 an area of enclosed decking was erected to the south of the car park adjacent to the said neighbouring property.
2. The full application received on the 11<sup>th</sup> May 2006 seeks to regularise the unauthorised decking, ramp and fences within the curtilage of the listed building. The decking covers an area of approximately 40 square metres at a height of between 150 mm and 300mm. To the south of the decked area there is a gravel pit used to play petanque, which is reached by a ramp from the car park. The entire area is enclosed by a wooden fence that ranges in height from 91.5 cm to 106.5 cm.

#### Planning History

3. None relevant to this planning application

#### Planning Policy

4. **Policy P7/6** 'Historic Built Environment' of the Cambridgeshire and Peterborough Structure Plan 2003 states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
5. **Policy EN28** 'Development within the Curtilage or Setting of a Listed Building' sets out the requirements for development within the curtilage or setting of listed buildings.
6. **Policy EN30** 'Development in Conservation Areas' of the Local Plan 2004 sets out the requirements for development within Conservation Areas.

#### Consultation

7. **Gamlingay Parish Council** recommends that the application be approved. The Parish Council has considered a letter of objection but is of the opinion that the decking does not detrimentally affect the Conservation Area. Parish Councillors have noted concerns about permanent advertisements/banners in this location.

8. **Conservation Manager** has no objection as the development does not have a significant impact on the character or appearance of the listed public house – although enclosure of the street frontage would be an improvement.

The boundary wall is of modern brick construction and is retained as a plinth supporting the fence. While it would be an enhancement of the streetscape to enclose the garden with a brick wall I am of the opinion that the existing fence does not substantially detract from the enclosure of the car park or the setting of the public house.

### **Representations**

9. One letter of objection received from the owner/occupier of St Mary's Cottage. The objector points out that the development is all about the creation of an additional beer garden, and his comments should be considered within this context. The main objections relate to:
- a. Increased general noise
  - b. Swearing and shouting
  - c. Rubbish being thrown over the fence
  - d. Increased parking in front of his house and on the road near the junction with Church Lane and Church Street (due to the loss of two parking spaces)
  - e. The decking is at the heart of the village and is totally out of character with the Conservation Area and local streetscape
  - f. The decking has not been constructed with any local materials, or without any consideration to the aesthetic nature of the Conservation Area
  - g. A series of walls have been demolished to elongate the existing parking spaces, which flood incidentally (which has been omitted from the submitted plans)
  - h. The fencing surrounding the decking has been used to advertise beer brands and other drinking related activities
  - i. Increased anti-social behaviour from youths congregating at the beer garden/decking
10. The development conflicts with the Gamlingay Design Statement in that it does not maintain the character of the area by the knocking down of perimeter walls and the advertisements. The decking has not been built using original or sympathetic materials.

### **Planning Comments – Key Issues**

11. Although the objecting neighbour refers to the impact of the decking on neighbour amenity and the character and appearance of the Conservation Area neither issue is considered to be a reasonable reason for refusal. The main material planning consideration for Members to consider in the refusal or approval of this application is whether the loss of parking provision within the site is acceptable or not.

### ***Impact upon neighbour amenity***

12. The use of the land in question for public house related activities does not constitute a material change of use of the land. The decking and fencing are, however, operational development requiring planning permission. The decking itself does not allow any overlooking of the neighbouring property and any anti-social behaviour or noise nuisance from customers would be controlled under other non-planning legislation.

### ***Impact upon the character and appearance of the Conservation Area***

13. Although the decking has been located in the curtilage of a listed building and within the Conservation Area it is not considered to harm the setting of the former or the character and appearance of the latter. Moreover the physical separation of the site from the setting of the Grade I listed St Mary The Virgin Church means that the development is not considered to have an impact upon the setting of the church. The use of materials and loss of perimeter wall are not considered to be unacceptable, and there is no requirement to use locally sourced wood for such developments.

### ***Loss of on site parking***

14. My main concern with the retrospective development is the fact that the decking has been located on an area of the pub's curtilage that was previously car park. At present there is only sufficient space within the site for the parking of a maximum of five cars. Under the standards for car parking provision set out in the Local Plan there should be 1 car space per 5 square metres of public floorspace. Although the parking provision before the construction of the decking failed to meet the requirement for sixteen spaces, the loss of any additional parking spaces within the site is considered to be unacceptable as it would lead to pressure on on-street parking in the streets surrounding the public house and at the junction of Church Lane with Church Street.

### **Recommendation**

15. Refuse

### **Reasons for Refusal**

The decking that has been constructed seriously reduces the provision of on site vehicular parking for the public house, as such it would fail to comply with the standards for car parking provision set out in the South Cambridgeshire Local Plan 2004 for a public house use. The loss of this parking provision will further exacerbate the issue of on street parking in the immediate area surrounding the public house, thereby prejudicing highway safety, particularly near the junction of Church Lane and Church Street.

**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 Ref: S/0956/06/F

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