

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th March 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/0038/07/F – SHEPRETH
Tiger Walkway and Pony Stable (Part Retrospective Application)
Shepreth Wildlife Park, Station Road for T Willers**

Recommendation: Approval

Date for Determination: 27th February 2007

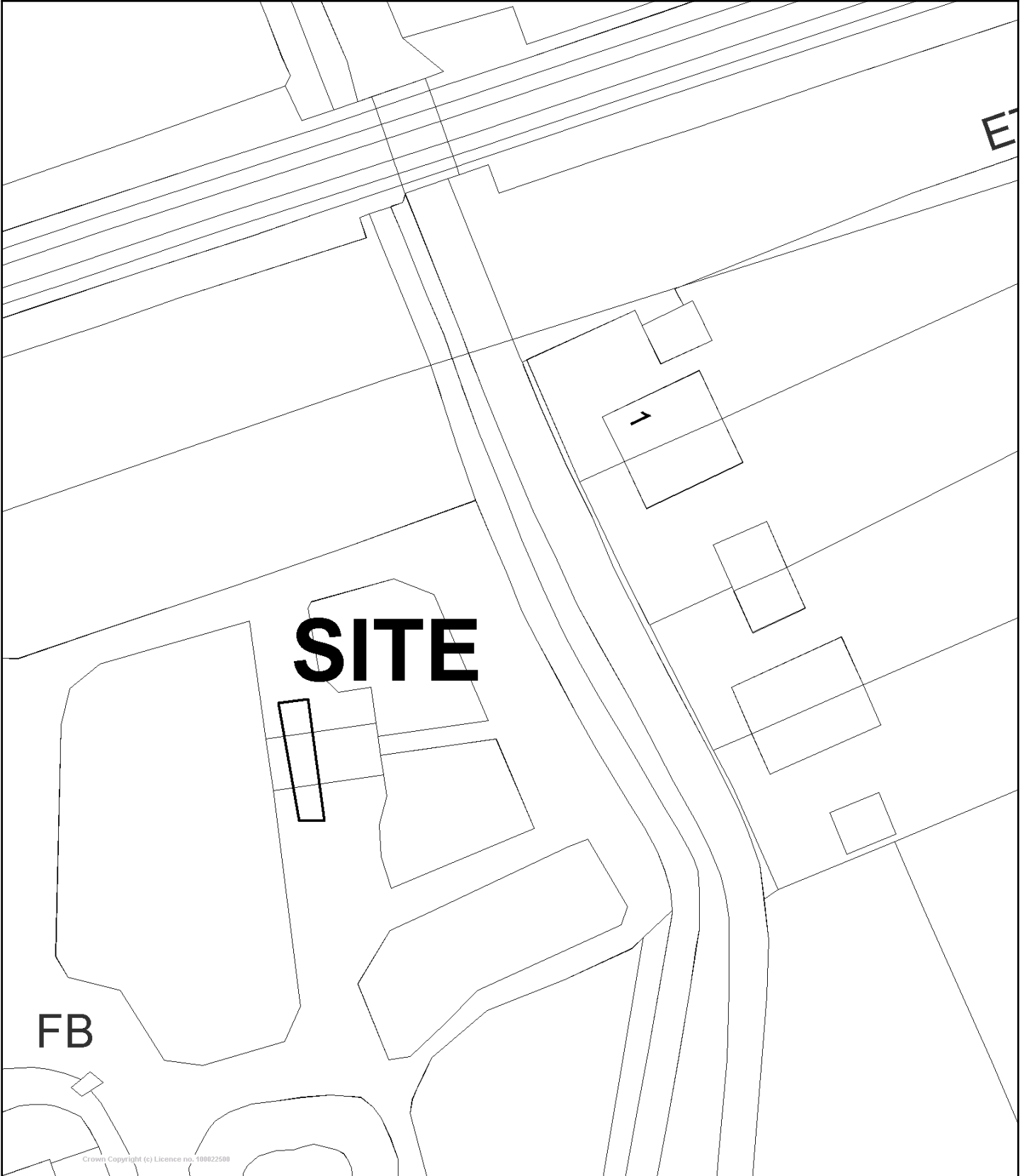
Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council has objected to the application and the Local Member for Shepreth has requested that it be determined by Planning Committee.

Members will visit this site on the 5th March 2007

Site and Proposal

1. Shepreth Wildlife Park is a private business and local tourist attraction on the edge of the village of Shepreth. Due to the nature of the animals housed at the park the site is enclosed by tall post and wire fencing, the northernmost section of which abuts the tracks of the Kings Cross to Cambridge railway. To the south of the said section of fence there is an earth bund that visually screens the majority of the site from the open countryside to the north. Within the site itself there is a range of artificial habitats with associated built development that have been created to house the Park's animal inhabitants. There is also a dwelling within the site that is occupied by the applicant and his family.
2. The access to the Wildlife Park runs adjacent to a linear commercial/industrial estate that abuts the rail tracks to the north. To the southwest of the site the Park's parking area abuts village playing fields. The closest residential properties to the boundaries of the site are two pairs of semi-detached properties in Angle Lane (Edieham Cottages). A public footpath runs to the north past the eastern boundary of the site and the front elevations of Edieham Cottages and out into the open countryside to the north.
3. The full planning application received on the 2nd January 2007 seeks to regularise the construction of a tiger walkway that is located in an eastern area of the site and proposes the construction of a pony stable near to the western boundary of the site. The galvanised steel tiger walkway is 13.7m long by 1.1m wide with an elevated viewing area that is 5.7m above ground level. Although proposed when the application was submitted the pony stable has now been completed. The building is finished in black feather edged boarding and grey slates and is 4.8m by 9m with an overall height of 4.8m. An amended site plan has been requested as the site plan that has been submitted is not of the correct scale; as such it does not show the correct distance of the tiger walkway from the boundary of the site.



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Scale 1/500 Date 26/2/2007

Centre = 539567 E 248278 N

Planning History

4. The planning history of Shepreth Wildlife Park is a long and complicated one that consists of planning approvals and refusals, a considerable number of which were determined at appeal. Planning permission for a wild animal sanctuary on the site was approved in 1986 (**S/0113/86/F**). There are no applications that specifically relate to the proposed developments or the areas of the site that are the subject of this latest application.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

5. **Policy P1/2** 'Environmental Restrictions on Development' of the Cambridgeshire and Peterborough Structure Plan 2003 states that developments in the countryside will be restricted unless demonstrated to be essential in a particular rural location.
6. **Policy P4/1** 'Tourism, Recreation and Leisure Strategy' requires that new or improved tourism, recreation and leisure developments protect or improve the local environment, landscape and residential amenity.

South Cambridgeshire Local Plan 2004

7. **Policy RT1** 'Recreation and Tourism Development' has regard to the scale, form, design and materials for recreation and tourist related developments. The policy also considers issues of screening and traffic generated by such developments.

Consultation

8. **Shepreth Parish Council** – Recommends that the application be refused as the tiger walkway has been constructed without permission and the occupants of numbers 2 and 3 Edieham Cottages feel it is an invasion of privacy with visitors looking into their bedroom windows. The Parish Council feels that a recently approved application for the conversion of a pony stable to a dwelling indicates that there is no longer a need for a pony stable.
9. **Environment Agency** – Has no comment to make in view of the scale and nature of the development.

Representations

10. One letter of objection has been received from the owner/occupiers of 2 Edieham Cottages who object to the tiger walkway as visitors using the walkway look directly into their bedroom. An objection is also raised to the possible screening of the walkway by taller trees, which would block out the sun reaching their property in the afternoons.
11. Letters of objection have also been received from the owner/occupiers of unit six, Station Road and 5 Station Road, who object to the application on the basis that it has been submitted retrospectively and that wooden posts restrict vehicular access, particularly for fire/ambulance services, to units 1-6 Station Works and Shepreth Wildlife Park.

Planning Comments – Key Issues

12. The long and varied history of planning applications and developments at Shepreth Wildlife Park is a matter of concern for nearby residents and property owners as well as for the Parish Council. The fact that these latest developments are part retrospective, which was also the case with a recently approved application for a walkway and nocturnal house that went before Members in August of last year, has done little to allay concerns expressed locally about unauthorised developments. Although these latest developments are retrospective, Section 63 of the Town and Country Planning Act 1990 allows for applications to be made for planning permission that relates to buildings or works constructed or a use instituted before the date of the application. Members should consider their acceptability based on the material planning considerations that have come to light during the consultation process. These issues are the impact of the use of the tiger walkway on neighbour amenity and the visual impact of both the walkway and the pony stable on the surrounding countryside.

Impact upon neighbour amenity

13. Due to its height and proximity to the eastern boundary of the site the tiger walkway has lead to objections based on the fact that the public have views of the upper windows of properties in Angle Lane (particularly numbers 1, 2 and 3 Edieham Cottages). Although the first floor windows of the said dwellings are visible from the walkway I believe it is necessary to consider the distance that users of the walkway are from the windows and the natural screening that exists during different times of the year. No objections have been raised to the impact upon neighbour amenity of the pony stable.
14. On the plans that were originally submitted the 1:500 scale plan is incorrect as it shows the distance of the walkway from the nearest Edieham Cottage as being 25m, a figure that is also quoted by the objecting occupants. The correct distance, according to the ordnance survey maps, is approximately 38m, a distance that if it were between the windows of two proposed dwellings would be considered more than acceptable.
15. The eastern boundary of the site adjacent to Angle Lane is well-screened at ground level by a secure boundary fence and mature vegetation, which is made up of both coniferous and deciduous species. Moreover there is a ditch and public footpath the other side of the boundary fence before one reaches the curtilages and front elevations of the properties in Angle Lane. The density of the evergreen species adjacent the boundary fence prevents any views into the lower windows of Edieham Cottages and if left to grow taller the views into the upper windows would also be limited during the times of the year when the deciduous species provide less screening. Although the objecting occupants of 2 Edieham Cottages have stated that they would be against an increase in the height of the trees on the boundary if Members were to consider this necessary I do not consider an increase in height of the boundary trees/hedge by 0.5m to be unacceptable, especially given the distance between the boundary trees/hedge and Edieham Cottages (approximately 14m).
16. One final point that should be considered is that the primary purpose for visitors to use the tiger walkway is to observe and take photos of the tigers who are to the west of the viewing area and not to observe the occupants of Edieham Cottages who are 38m to the east of the walkway. On the basis of the distance between visitors using the walkway and the screening that limits views of Edieham Cottages at certain times of the year I do not consider that any overlooking would have a sufficiently adverse

impact upon neighbour amenity to recommend the refusal of this application. Though if Members were to consider it necessary the attached condition could be used to allow for additional screening to prevent any loss of amenity from overlooking.

Visual impact upon the surrounding countryside

17. Both the tiger walkway and the pony stable are well within the site, which, although entirely outside the village framework, is not considered to be open countryside due to its enclosed and already developed nature. The earth bund near the northern boundary of the site and the distance of both developments from the boundaries means that neither development has a significant visual impact when viewed from the public footpath that passes Edieham Cottages and continues in a northerly direction towards Barrington.
18. The Parish Council has commented that the previously approved application for the conversion of a stable block to a dwelling means that the additional pony stable is not required (S/2108/06/F). However the previous stable block was within an area of the Park that is not open to members of the public, whereas the new pony stable is an attraction to be viewed by visitors. Given the fact that Park is in the business of attracting visitors, and the fact that the pony stable has a limited visual impact when viewed from outside the site, I do not consider it to be an unacceptable development.

Recommendation

19. Approval – Subject to the following conditions
 1. Within one month of the date of this decision notice, or within a period agreed in writing by the Local Planning Authority, details of the treatment of the eastern site boundary shall be submitted for approval in writing by the Local Planning Authority. The approved boundary details shall then be implemented within one month of the date of written approval and thereafter retained unless otherwise agreed in writing with the Local Planning Authority.
(Reason - To protect the privacy of the residents of the nearby properties in Angle Lane.)

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:**
P1/2 (Environmental Restrictions on Development)
P4/1 (Tourism, Recreation and Leisure Strategy)
 - **South Cambridgeshire Local Plan 2004:**
RT1 (Recreation and Tourism Development)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity (overlooking)

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 Files Ref: S/0113/86/F; S/0038/07/F

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