

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3<sup>rd</sup> October 2007

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

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**S/1293/07/F & S/1292/07/LB - GAMLINGAY**  
**Creation of Café (A3), Relocation of Existing Chiller and New Roof, Mezzanine Floor at 38/40 Church Street for Mr J Crowther**

**Recommendation: Approval**

**Date for Determination: 7<sup>th</sup> November 2007**

**Notes:**

**This Application has been reported to the Planning Committee for determination because Gamlingay Parish Council has recommended refusal of the planning and listed building applications.**

**Conservation Area and Grade II Listed Building (Curtilage listed)**

**Members will visit the site on Wednesday 3<sup>rd</sup> October 2007.**

1. This application was deferred at September Committee so Members could attend a site visit.
2. Since September Planning Committee I have received a revised site edged red location plan that now omits the toilet facilities in the butchers unit, as it turns out this is owned by the neighbouring property, a mistake in the earlier application that was raised in one of the objection letters from the rightful owner (point f. paragraph 22 of the earlier report).

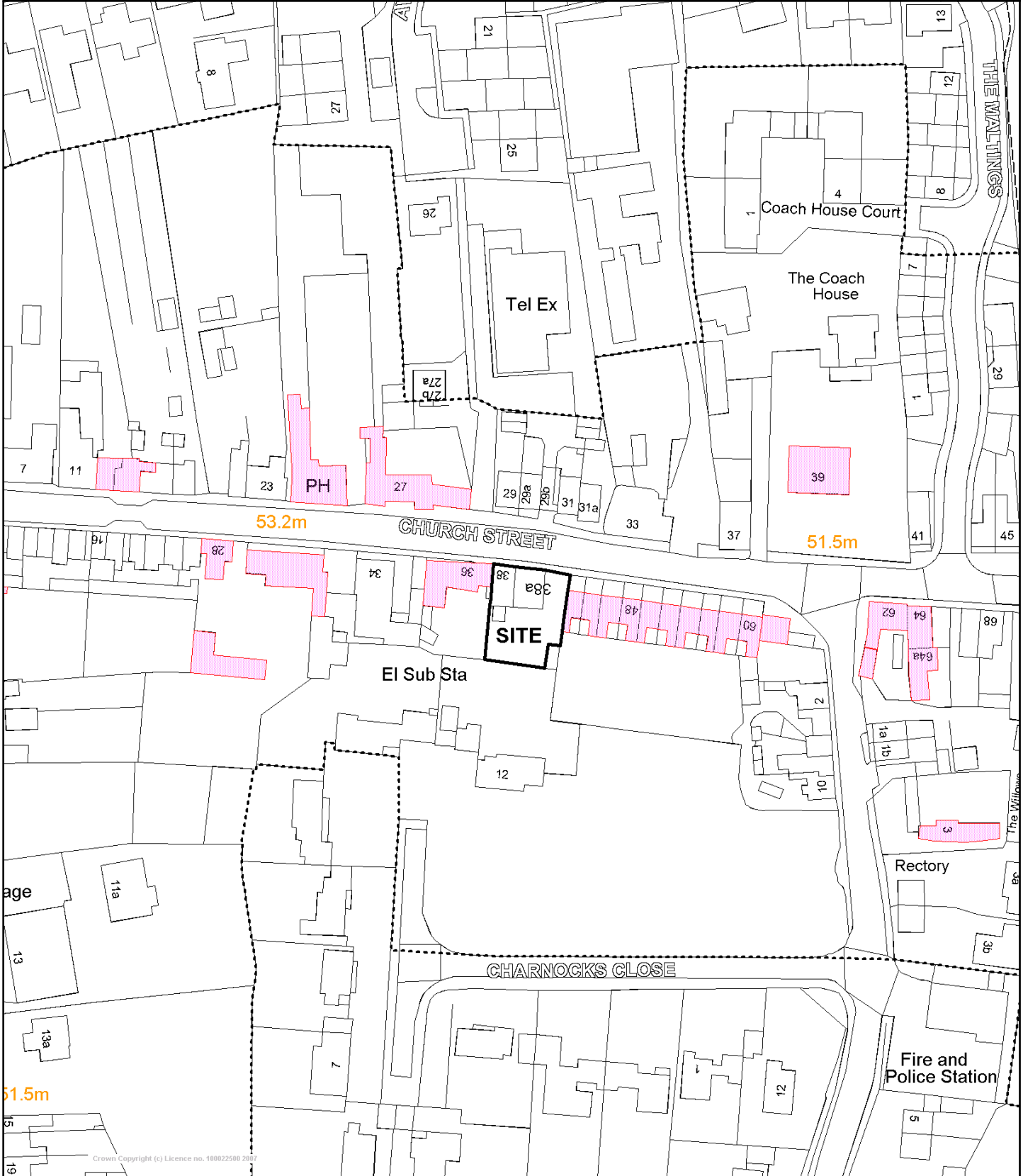
**Additional Representations**

3. **Corporate Manager (Health and Environmental Services)** has responded to this application;

*I wish to confirm I have received a copy of the above application and have considered the implications of the proposals. The existing chiller does not create any noise that is of concern. I do not therefore feel that moving it to its proposed location between the existing garage and refrigeration room will adversely affect the amenity of any surrounding residential properties. Therefore I have no further comments to add in respect of this application.*

4. All neighbours were notified again of any amendments to this scheme, of which there have been minor adjustments, all of which are up to date and scanned. Another letter of objection has been received from the occupiers of No. 12 Charnocks Close. The concerns raised in the letter are the same as the first letter of objection. The points raised are as follows:

(a) Noise pollution from the chiller unit and cooling fans



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Scale 1/1250 Date 19/9/2007

Centre = 523875 E 252326 N

October 2007 Planning Committee

- (b) Customers in the café garden causing noise as well as the introduction of food noise, smells and increased refuse.
  - (c) Lack of customer parking
- 5. In response to an earlier amendment omitting a dormer window, the occupiers of No 36 Church Street have confirmed that they are not opposed to the objectives of the plans and agree to them subject to the following conditions:
  - (a) latest technology fans are used to limit noise plus further sound proofing if necessary;
  - (b) removal of No 36 toilet and cloakroom, cellar stairway and garden path from plans; and
  - (c) change use of area from refuse (location 3 rubbish bins) to store area.
- 6. **Gamlingay Parish Council** has changed its recommendation to approval since receiving the amended plans – dated 31<sup>st</sup> August 2007. The revised site edged red has been sent out as information only and does not require further comment from the Parish Council.

### **Recommendation**

- 7. As the earlier report for September Committee - Approval of both applications subject to Conditions

### **Planning Conditions**

- 1. Standard Condition A – Time limited permission (Reason A);
- 2. Surface water drainage details; (Reason – To ensure satisfactory drainage of the site)
- 3. Assessment of noise exposure together with appropriate mitigation measures;(Reason – To ensure minimum impact on neighbour amenity)
- 4. Notwithstanding the scheme, hereby permitted, the use shall not commence until a scheme for the storage of waste and recycling has been submitted to and approved in writing by the Local Planning Authority in writing. The scheme shall be carried out in accordance with the approved details. (Reason – To ensure refuse storage is adequately provided on site without causing visual harm to the area and does not obstruct the access to the rear of the site)

### **Listed Building Conditions**

- 1. The works to which this consent relates shall be started not later than the expiration of three years beginning with the date of this decision notice. (Reason - To ensure that consideration of any future application for works will not be prejudiced by listed building consents, which have not been acted upon.)
- 2. The works shall be carried out so that no damage is caused to the fabric and features of this listed building; any damage so caused shall be rectified to the approval of the Local Planning Authority. (Reason - To protect the fabric and features of this listed building. (Particular features may be specified)

3. Precise details of the proposed folding glass screen shall be submitted for the prior, written approval of the Local Planning Authority. Such detail shall show sections, opening arrangements and glazing bar patterns. All windows shall be of timber construction and painted.  
(Reason - To ensure fenestration appropriate to this listed building.)
4. Precise details of all boundary walls, fences and gates shall be submitted for the prior, written approval of the Local Planning Authority.  
(Reason - To protect the setting of this listed building.)
5. All new and matching materials, including a sample of the roof tile shall be approved on site by the Local Planning Authority.  
(Reason - To ensure the use of matching materials.)
6. All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority.  
(Reason - To ensure the use of the appropriate mix of traditional lime plasters and mortars.)
7. The proposed rooflight(s) shall be inserted with flush detail to the approval of the Local Planning Authority.  
(Reason - To safeguard the appearance of the listed building.)

### **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:**  
**P7/6** (Historic Built Environment)  
**Policy P1/3** (Sustainable Design in Built Development)
  - **South Cambridgeshire Local Development Framework**, adopted July 2007  
**DP/2** (Design of New Development)  
**CH/3** (Listed Buildings)  
**CH/4** (Development within the Curtilage or Setting of a Listed Building)  
**CH/5** (Conservation Areas)  
**SF/4** (Retailing in Villages)
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
  - Impact upon the setting and character of the Listed Building
  - Impact upon setting of adjacent Conservation Area
  - Impact on neighbour amenity
  - Car parking and Highway Safety
  - Noise and Odour Pollution
  - Security
3. The proposed works would not adversely affect the special character or appearance of the building.

4. The proposed works would not result in any significant loss or harm to the historic fabric.
5. The proposed works would not have an adverse impact on the setting and appearance of the historic building.

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

- South Cambridgeshire Local Development Framework (adopted January 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1293/07/F and S/1292/07/LB

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