

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2nd April 2008

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

**S/1597/07/F– GREAT SHELFORD
Flue (Retrospective Application) at 40 Church Street for F. Plakassovitis**

Recommendation: Approval

Date for Determination: 11th October 2007

Notes:

This application has been reported to the Planning Committee for determination because Great Shelford Parish Council and the neighbour have raised objections to the amendment.

Members will visit the site on Wednesday 2nd April 2008.

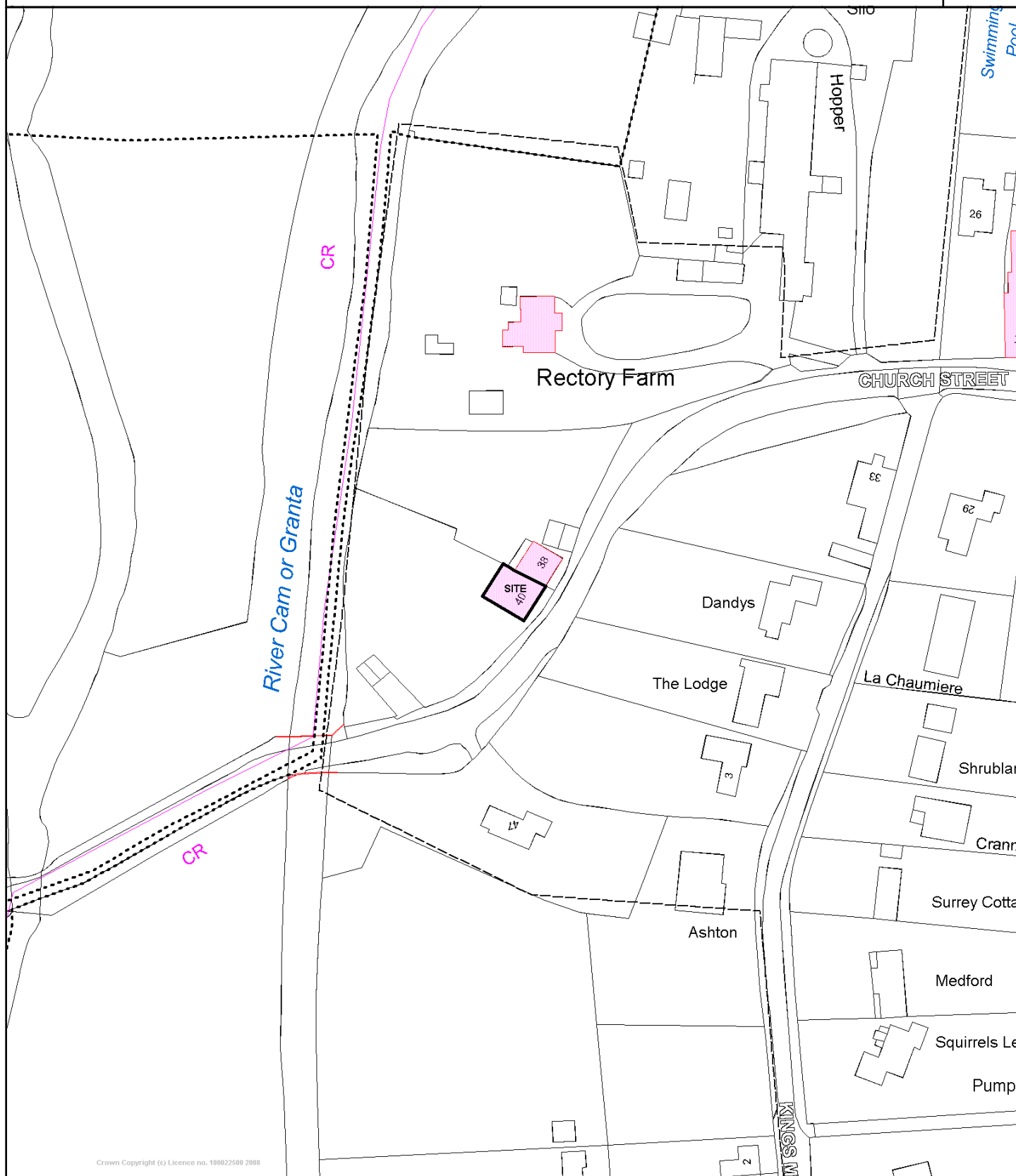
Conservation Area

Update

1. This application was considered at the Planning Committee meeting on 7th November 2007 (see appendix). Members resolved to grant officers delegated powers to approve the application, as originally submitted, subject to officers from planning, conservation, building control and environmental health meeting with each other and to agree technical issues and the receipt of amended plans that showed the flue in its correct position.
2. A meeting was held between officers and it was agreed to approach the applicant and request that the flue was increased in height by 600mm and the cap removed, to try and overcome the neighbours' concerns regarding the smoke nuisance. The work was carried out in early December and officers have since monitored the situation. Amended plans were received in February and sent out for consultation on 12th February. The flue is now, therefore, 600mm above the ridge of the roof on which it is positioned.

Consultation Responses to Amended Plans

3. **Great Shelford Parish Council** makes no recommendation but re-iterates its previous comments that there will be co-operation between all relevant officers and a site meeting as confirmed by the Corporate Manager in October 2007, to resolve this long running issue to check whether the height increase has solved the perceived problem/
4. **The Conservation Manager** has no objections to the corrected location of the flue or the increase in height and change in design.
5. **The Corporate Manager (Health and Environmental Services)** considers that there are no significant noise or environmental pollution impacts. Investigations have revealed adequate dispersion from the flue in its current position and height.



Crown Copyright (c) Licence no. 100022500 2008



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/1250 Date 19/3/2008

Centre = 545703 E 251795 N

April 2008 Planning Committee

6. **The Building Control Surveyor** confirms that the flue complies with Building Regulations Approved Document J (Combustion Appliances and Fuel Storage Systems) May 2006.

Representations to Amended Plans

7. The occupiers of No. 38 Church Street object to the flue on the grounds of its impact upon the residential amenity of their property through noxious emissions resulting in an odour nuisance and health hazard and its impact upon the character and appearance of the listed building(s) and Conservation Area, contrary to Policies DP/3, CH/3 and CH/5 of the Local Development Framework Policies 2007. In conclusion the writers do not wish to stop No. 40 from using the flue, but it should be located to allow for complete dispersion in all weather conditions. It should be higher than the main roof. They have offered to participate in funding a relocation and to pay for an evaluation by an independent expert. A Technical Report prepared for the neighbour suggests that the flue should be at least 500mm above the ridgeline of the house to avoid vortexing on the leeward side of the roof.

Planning Comments – Key Issues

8. The main issues to consider during the determination of the amendment to this application relate to the impact of the development upon the listed building, Conservation Area, green belt/countryside, environmental issues and neighbour amenity.

Listed Building

9. The flue is not considered to detract from the special character and appearance of the listed building itself or damage the setting of the pair listed cottages. The removal of the flue cap has simplified its design and painting it matt black will make it less visually intrusive. It does not dominate the listed building in scale, it is traditional in form, and is constructed of appropriate materials.

Conservation Area

10. Whilst I acknowledge that the flue is visible from Church Street, it is not visually prominent to the extent that it has an unacceptable adverse impact upon the appearance of the street scene and Conservation Area.

Green Belt/Countryside

11. The flue is situated 35 metres from the boundary with the Green Belt/ countryside and would not be visually conspicuous in the landscape, given the dense screening along the rear boundary of the site.

Environmental Impact

12. The flue has been monitored in use at different times of the day and in different weather conditions since it was extended in height and the cap was removed. The outcome of the investigation is that the flue in its current position does not cause an undue environmental nuisance to the neighbour or surrounding area through noise, odour, noxious emissions or dust and adequate dispersion has been proven on every occasion.

Neighbour Amenity

13. Although visible from 40 Church Street, I do not consider that the flue seriously harms the amenities of the neighbour through resulting in a prominent development that is unduly overbearing in mass when viewed from the main habitable room windows, patio and garden area of that property. It also does not result in a loss of light or significant overshadowing that harms the amenities of the neighbour.

Building Regulations

14. The flue complies with Building Regulations Approved Document J. A Building Regulations application will be submitted if planning permission and listed building consent are granted for the development.

Other Matters

15. A listed building consent application is required for the flue as it presently stands on site. This has been submitted but is currently invalid and cannot be registered.
16. All officers have visited the site separately and met to discuss the issues. The applicant's agent did not agree to a site meeting between all parties and given that permission is required to enter private land, it was not considered necessary.

Recommendation

17. Approval (as amended by letter dated 4th February 2008 and drawings date stamped 12th February 2008).
 1. Within three months of the date of this Decision Notice, or at such time as shall have been approved, in writing by the Local Planning Authority, the flue shall be painted matt black.
(Reason - To ensure that the flue does not detract from the character and appearance of the listed building and preserves the character and appearance of the Conservation Area, in accordance with Policies CH/3 and CH/5 of the Local Development Framework 2007.)

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Development Framework Development Control Policies Document 2007
- Planning File References S/1597/07/F and S/1431/03/LB

Contact Officer: Karen Bonnett- Planning Assistant
Telephone: (01954) 713230