

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee 7<sup>th</sup> April 2010  
**AUTHOR/S:** Executive Director (Operational Services)/Corporate Manager  
(Planning and Sustainable Communities)

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**S/0053/10/F- COTTENHAM**  
**Public Art Sculpture at Cottenham Village College, High Street**  
**for Cottenham Village College**

**Recommendation: Approval**

**Date for Determination: 26<sup>th</sup> March 2010**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the officer recommendation is contrary to the recommendation of the Parish Council.**

**Conservation Area**

**Site and Proposal**

1. The site is situated within the Cottenham village framework, conservation area, and a protected village amenity area. It currently comprises an open area of lawn with mature trees that provides an attractive setting to the front of the Village College.
2. This full planning application, received on 15<sup>th</sup> January 2010, proposes the erection of a public art sculpture on the northern side of the access to Cottenham Village College and to the east of the public footpath. The structure would have the form of a windswept tree and be constructed from stainless steel with a dull finish, and have applied copper leaves and letters that spell out 'Cottenham Village College'. It would measure 2 metres in height and 3 metres in length and would be set in a semi-circle.
3. The Green, an area of public open space, lies across the road to the south west. Residential properties lie beyond the college grounds to the north east and north west. There is an existing road traffic sign opposite the access that directs vehicles to the village college. Two signs indicating Cottenham Sports Centre and Cottenham Court are located to the south of the access.

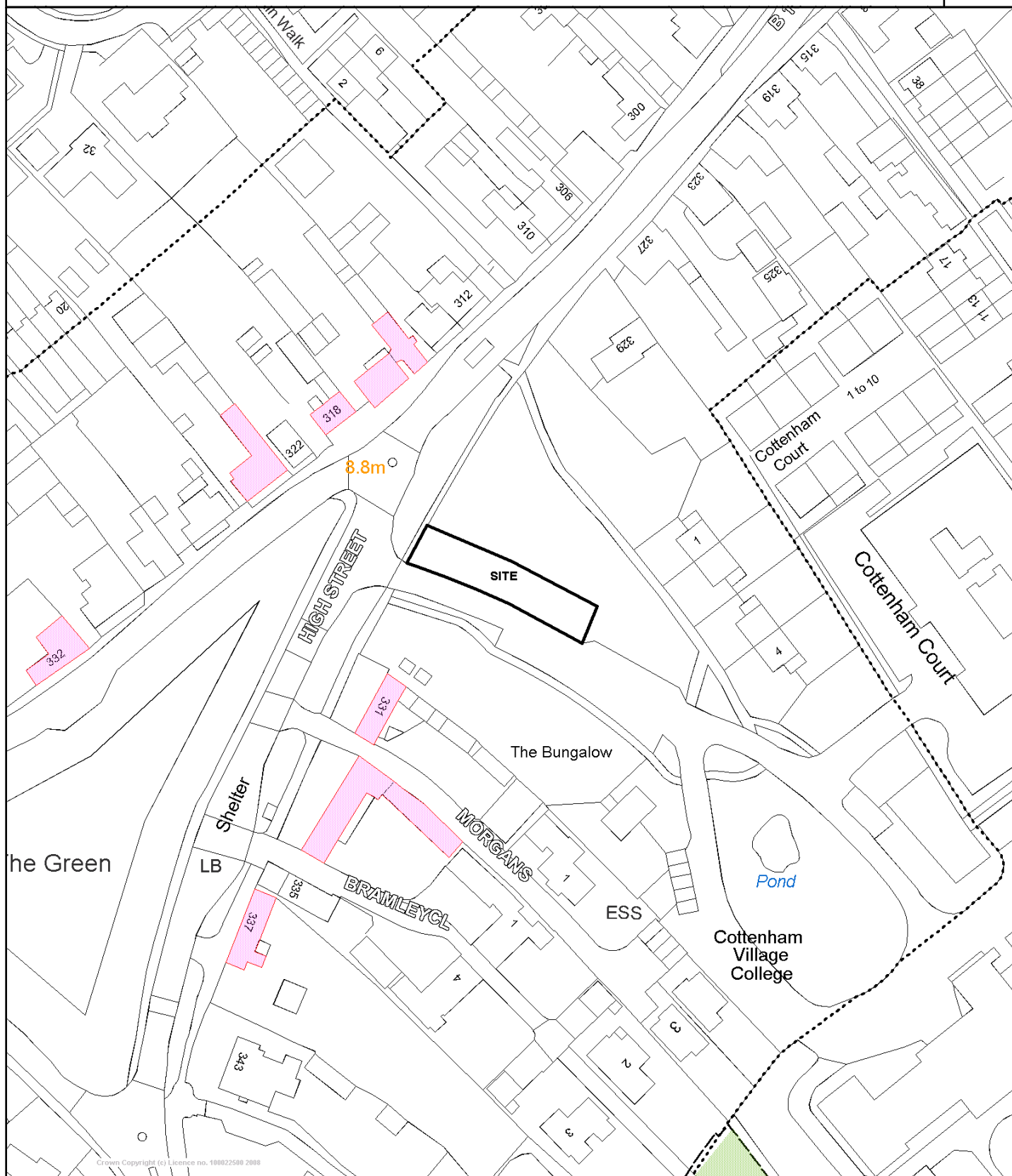
**Planning History**

4. There is no relevant planning history.

**Planning Policy**

***Local Development Plan Policies***

5. East of England Plan 2008:  
**SSS1** Achieving Sustainable Development  
**ENV6** The Historic Environment  
**ENV7** Quality in the Built Environment



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Centre = 544927 E 267161 N

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6. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**CH/5** Conservation Areas  
**CH/6** Protected Village Amenity Areas  
**NE/6** Biodiversity  
**SF/6** Public Art

#### ***Supplementary Planning Documents***

7. South Cambridgeshire Local Development Framework:  
Development Affecting Conservation Areas: Adopted 2009  
Trees and Development Sites: Adopted 2009  
Biodiversity: Adopted 2009  
District Design Guide: Adopted 2010  
Public Art: Adopted 2009  
Cottenham Village Design Statement: Adopted 2007

#### ***National Planning Guidance***

8. Planning Policy Statement 15 (Planning and the Historic Environment)

#### ***Circulars***

9. Circular 11/95 (The Use of Conditions in Planning Permissions) – Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

#### ***Consultation***

10. **Cottenham Parish Council** – Recommends refusal and makes the following comments: -  
“The proposed design is not a functional design for a sign to indicate that this is the entrance to Cottenham Village College; the proposed lettering is both small and indistinctive. Of equal concern is the potential health and safety issues that this design raises with several lower branches at head height and below which could be danger to pedestrians. A further concern is the possibility of distraction to drivers as they pass by the college. Finally, concerns were raised in regard to the fact that the use of steel is not very eco-friendly, as it will create more CO2. Aside from these concerns, Cottenham Parish Council are not against a sign being erected at this point but feel that a more suitable design and material should be used.”
11. **Conservation Officer** – No objection to the design and principle of the sculpture but would like clarification over its position.
12. **Trees and Landscape Officer** – No objections.
13. **Landscape Design Officer** – No objections.
14. **Arts Development Officer** – Supports the application as it meets the Council’s supplementary planning document for public art. Comments that it is part of a series of environmental improvements around the site and that

removal of visual clutter and installation of the sculpture will make arrival at the College a much better experience.

15. **Local Highways Authority** – Although the proposal has the potential to distract drivers, it would be unlikely to cause a significant hazard to users of the public highway for the following reasons: -
- a) It would be set back 5 metres from the back of the highway verge and 15 metres from the centre of the carriageway. Given that the proposed location is among trees, and its design has been deliberately created to blend in with the context of natural forms, its visibility from the carriageway would be limited;
  - b) The entrance to the school is a busy place at the start and end of the school day, which heightens driver awareness. The accident record for the length of the High Street outside the school is low; and,
  - c) As the length of the road outside the school is traffic calmed, outside the peak school times, this ensures that vehicle speeds are lower, which allows drivers more time to assimilate a greater amount of information without becoming distracted.

## **Representations**

### ***Neighbours***

16. The occupiers of no. 318 High Street object to the application on the grounds of the impact upon the tree, an increase in signage clutter at the entrance to the College, and unnecessary illumination. They comment that although public art is supported, it must preserve the character of the area.
17. The 'Cottenham Village Design Group' supports the introduction of public art into the village, especially as the intent is to allow for the removal of existing signs which detract from this area. It states that the proposed design will appear as an interesting adjunct to the many trees in this location and suggests that the artwork might better serve its secondary function as a sign for the Village College if it were presented on a plinth. This might also act to discourage climbing. It refers to policy B1 on page 18 of the Cottenham Village Design Statement, which encourages high quality contemporary architecture.

### ***Applicant's Agent***

18. "The structure is not a functional sign but a sculptural marker that compliments the surrounding space. The need for signage to indicate the location of the Village College has been met by the installation of a new highway sign.

Cottenham Village College have a legal obligation to ensure health and safety requirements are met. The location is set back from the footpath and behind a low level bar fence, which means that pedestrian rarely walk through this area. It will be lit by street lamps and clearly visible in the dark. There will be no sharp edges.

The County Highways department are aware of the works. The material chosen is brushed steel, which has a dulled finish so will not reflect the glare of headlights from vehicles entering the site. The location of the sculpture is expected to have a minimum impact upon passing traffic.

The design and materials have been selected in consultation with local residents and users of the Village College. The theme of the work is the natural environment and was informed by workshops led by the artist."

## **Planning Comments – Key Issues**

19. The main considerations in the determination of this application relate to the principle of development on the site and the impact of the development upon the character and appearance of the conservation area, important trees, and highway safety.

### ***Principle of Development***

20. The site lies within the village framework and there are no objections in principle to the erection of the proposed structure. The sculpture is not considered to have an adverse impact upon the character, amenity, tranquillity or function of the protected village amenity area. The overall open character of the site and the important trees will remain and continue to provide the setting to the Village College and the village.

### ***Character and Appearance of the Conservation Area***

21. The proposed sculpture is a piece of public art rather than a sign. The design and materials are considered appropriate and would not harm the character and appearance of the conservation area. Clarification on the position of the sign has been sought and any additional comments relating to its position will be reported in the update or verbally at the meeting. The development is not considered to result in visual clutter as the existing signs are situated on the adjacent side of the access.

### ***Important Trees***

22. The proposal would result in trimming of some branches of the existing trees along the frontage that are protected by the designation of the site within the conservation area. These works would not significantly change the impact of the trees upon the visual amenity of the area or adversely affect their roots and general health to ensure that they are retained. A condition will be attached to any consent to ensure the trees are protected during works.

### ***Highway Safety***

23. The proposed sculpture is not considered to be detrimental to highway safety. Whilst it is acknowledged that the writing on the sculpture is small, it is considered acceptable. It would be unlikely to distract drivers trying to find the College, as there is already an official highway sign that directs traffic accordingly on the High Street, it is set back a distance of 15 metres from the carriageway, and the area is traffic calmed.
24. The material to be used for the sculpture would be dull in appearance and not reflect glare from vehicles lights to the extent that it would cause a hazard to drivers using the public highway.

### ***Other Matters***

25. A condition will be attached to any consent to agree further additional lighting that may be required for the sculpture.
26. The issue raised by the Parish Council in relation to health and safety is not a planning consideration that can be taken into account during the determination of the application. However, the applicant has stated that the risk implications of the proposal have been fully assessed.

27. In relation to the Parish Council's concerns with regards to the non-environmentally friendly materials proposed for the sculpture, the very small scale of the development is such that it would not result in harm to the objectives of Policy DP/1 which seeks, amongst other criteria, to ensure that where practicable sustainable, locally sourced materials are used.

### **Recommendation**

28. Approval subject to conditions:

### **Conditions**

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing number 1002 Rev. P and Dimensions Floorplan and Elevation.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall commence until samples of the stainless steel finish and copper finish of the sculpture have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**  
(Reason – To ensure the development preserves the character and appearance of the conservation area and would not adversely affect highway safety in accordance with Policies CH/5 and DP/3 of the adopted Local Development Framework 2007.)
4. **No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.**  
(Reason – To ensure the development preserves the character and appearance of the conservation area and would not adversely affect highway safety in accordance with Policies CH/5 and DP/3 of the adopted Local Development Framework 2007.)
5. **In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of the development.**
  - (a) **No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.**
  - (b) **If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.**

- (c) **The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.**

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

### **Reasons for Approval**

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
  - East of England Plan 2008: Policy ENV (The Historic Environment); Policy ENV7 (Quality in the Built Environment)
  - South Cambridgeshire Local Development Framework Development Control Policies 2007: Policy DP/1 (Sustainable Development); Policy DP/2 (Design of New Development); Policy DP/3 (Development Criteria); Policy CH/5 (Conservation Areas); Policy CH/6 (Protected Village Amenity Areas); Policy NE/6 (Biodiversity)
  - South Cambridgeshire Local Development Framework Supplementary Planning Documents  
Development Affecting Conservation Areas: Adopted 2009  
Trees and Development Sites: Adopted 2009  
Biodiversity: Adopted 2009  
District Design Guide: Adopted 2010  
Public Art: Adopted 2009  
Cottenham Village Design Statement: Adopted 2007
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
  - Character and Appearance of the Area
  - Trees
  - Highway Safety
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- East of England Plan 2008

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents 2007-2010
- Planning Policy Guidance Note 15 (Planning and the Historic Environment)
- Circular 11/95 Circular (The Use of Conditions in Planning Permissions)  
Planning File reference S/0053/10/F

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