

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

12 January 2011

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/1688/10 – GREAT SHELFORD  
Installation of ATM Unit – 36-38 Woollards Lane,  
for Tesco Stores Ltd**

**Recommendation: Delegated Refusal**

**Date for Determination: 29<sup>th</sup> November 2010**

**Notes:**

**This Application has been reported to the Planning Committee at the request of the local Member Cllr Nightingale.**

**Members will visit the site on 12<sup>th</sup> January 2011.**

**Site and Proposal**

1. The application site comprises a two-storey detached retail unit (A1 Use Class) located within the centre of Woollards Lane. Woollards Lane is identified within the village's Conservation Appraisal as being a relatively calm street, even though this is the main shopping street and the centre for commercial and community life in the village. This section of the village contains a library, bank, newsagents, dental surgery and opticians, restaurants and delicatessens, convenience stores, a small department store (application site), pharmacy, estate agents, travel agents, bicycle shop and a greengrocer. The mix of commercial and residential properties are predominantly late 19th century in character, comprising the mainly unplanned conversion of former yellow brick and slate dwellings to shops. In most cases, this has led to the use of back lands as car parks.
2. The site is situated within the village development framework, Conservation Area, Character Area (as designated by the Village Design Statement) and is in within an area of special advertisement control. There are a variety of advertisements within Woollards Lane including ATM units and shop frontages with an array of shop fascia's. There are parking restrictions within Woollards Lane with the road being narrow at points with on street parking providing congestion at peak times. The application site is not specifically identified within the village's Conservation Appraisal. The Village Design Statement designates Woollards Lane as the principal shopping centre and focus for village activity. This document refers to the conflict between pedestrians and vehicles within this concentrated area. Furthermore, this document goes on to reference that the design of shop fronts within Woollards Lane makes a strong and varied impact upon the appearance of the street in the village and in combination with signage and advertisements are a matter for attention in the raising of the standards of high visual quality.

3. The proposal comprises the installation of an ATM unit that would be situated within the glass fascia of the principal elevation fronting Woollards Lane. The ATM would be approximately 0.5m from ground level allowing disabled access and would be set behind cast iron bollards.
4. The application is supported by a Heritage Statement, Design and Access Statement but has not been party to any pre-application advice.
5. There was an administration error during the consultation period whereby the correct application forms were not made visible via the website. However, this matter has been rectified and the application in full has now been made publicly visible for a period in excess of 21 days.
6. The proposed development does not require a parallel application for Conservation Area Consent.

### **Planning History**

7. Planning Application S/0481/74/F for a single storey rear extension was approved.
8. Planning Application S/1708/79/F for single storey rear extension was approved.
9. Planning Application C/0715/69/O for internal alterations and extension to the rear was approved.
10. Planning Application S/0130/81/F for a replacement display window was approved.
11. Planning Application S/1039/84/F for a replacement display window was approved.
12. Planning Application S/1269/85/F for a first floor shop extension was approved.
13. Planning Application S/1579/85/F for the use of no.38 as retail space and the provision of a new shop front was approved.
14. Planning Application S/0085/86/F for a two-storey rear extension was approved.
15. Planning Application S/0640/10 for a two-storey rear extension was approved.

### **Planning Policy**

16. **South Cambridgeshire Local Development Framework, Development Control Policies, DPD, 2007:**
  - DP/1 Sustainable Development
  - DP/2 Design of New Development
  - DP/3 Development Criteria
  - DP/7 Development Frameworks
  - CH/5 Conservation Areas
  - CH/9 Shop Fronts

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Development affecting Conservation Areas SPD – Adopted January 2009  
Great Shelford Conservation Area Appraisal – Adopted September 2007  
Great Shelford Village Design Statement – Adopted February 2004

### **Consultation**

18. **Great Shelford Parish Council** – Recommends refusal making the following comments:
- The installation of an ATM with associated signage and lighting creates an unacceptable intrusion into the simple shop frontage;
  - A recent appeal decision against the refusal of planning permission for a take-away at 54 Woollards Lane was dismissed; the inspector stating that noise and disturbance caused by stopping, starting and manoeuvring traffic would be to the detriment of residential amenity; Out of hour use of the ATM will create a similar scenario;
  - The ATM could be installed within the building;
  - The premises has no restriction on opening hours and therefore residents will have to endure noise from associated vehicular and pedestrian traffic to all hours;
  - The area where the proposed ATM is to be sited use to be used by customers for the parking of their buggies and cycles; therefore this would seem to be a good position for cycle storage;
  - The previous extension to the building was approved on the grounds that the site was in a sustainable location, therefore the proposal should not include bollards to protect the ATM but instead provide cycle parking.
19. **Conservation** – The proposed position and design of the ATM would be an unsympathetic feature within the glazed shop front. The unit would contrast with the transparent nature of this part of the building's frontage making it more prominent and noticeable. As a consequence the proposal would fail to preserve or enhance the character and appearance of the Conservation Area. Should an ATM be required then it should be located within a solid surface in a less prominent location, subject to the significance of any materials that are lost to accommodate it.
20. **Environmental Health** – No significant environmental impacts from an Environmental Health standpoint would occur.
21. **Local Highways Authority** – Recommend refusal of this application on the grounds of highway safety. This is due to the double yellow lines, which have been installed outside the existing retail unit. The Highway Authority believes that the ATM machine will encourage short-term parking in contravention of the existing waiting restrictions to the detriment of Highway Safety. Furthermore, the proposed bollards cannot be sited within the adopted public highway, as they would obstruct the free flow of traffic (including cyclists and pedestrians).

### **Representations**

22. **528** letters of objection have been received in total in addition to a petition of **395** signatures. The objections are summarised below with relevance to this application:

- The proposal would result in noise and disturbance to neighbouring residential properties;
- There is no need for an ATM in this location as there is one opposite the road within the bank;
- The adjacent ATM is accessible to the disabled and served by a car park;
- There are multiple ATM units within the village;
- The ATM would result in significant traffic and pedestrian safety issues; as it would invite illegal parking to the front of the store;
- The disabled parking within Woollards Lane would be affected by users stopping to use the ATM illegally;
- The village and nearby villages are well provided for by shops selling the same merchandise as those offered by Tesco;
- The presence of Tesco would threaten the local stores;
- The applications will contravene Planning Policy SF/1 as they will threaten the loss of traditional village shops;
- The development would contravene Planning Policy SF/4 as Tesco would not be of the size, or the attraction appropriate to the scale of the village;
- The use of the premises as a Tesco store would result in increased antisocial behaviour and is not wanted;
- Shelford is defined as a Rural Centre, which serves its local catchment area and not the wider community that Tesco wishes to reach;
- A new Tesco store would not be in scale with the retail hierarchy of the village as the village is adequately served by sufficient retail provision;
- Woollards Lane is unsuitable for multiple daily deliveries by Tesco. The volume of traffic using this road has increased over the years and upon rubbish collection day there are noticeable tailbacks and jams;
- Tesco will apply for an alcohol license, which will lead to increased anti-social behaviour;
- The provision of an ATM unit would have a detrimental impact upon the Conservation Area;
- The proposed ATM unit would urbanise the village contrary to the requirements of the Village Design Statement;
- The ATM would disrupt what is a simple shop frontage, as the site has no restrictions on opening hours the ATM could lead to noise and disturbance to nearby residential properties;
- The ATM could be provided within the building;
- If the store is to be open late at night then the car park will be used to a late hour, which would adversely affect neighbouring residential properties through undue noise and disturbance;
- All the application forms upon the website relate to S/1687/10 and not the relevant applications, furthermore, there is no Conservation Area Consent for these applications;
- The heritage statement submitted has several material deficiencies, such as the fact that the statement addresses all four planning applications and is not therefore specific to each proposal. In addition there is no evidence of the examination of historic records or the expertise of the author. The statement also fails to correctly address and assess the significance of local heritage assets. The archaeological potential of the site has also not been considered.

23. **In addition to the above the Stop Tesco Action Group (STAG) have submitted a joint submission to all four applications, which is included within the annexe to this report.**

24. **10** Letters of support have been received, which raise the following comments:

- The positives of the store would outweigh the negative, such as the stores increased accessibility for older customers;
- The store would provide a wide range of affordable food items for all;
- The store would provide local jobs when unemployment is high;
- Local retail competition will be healthy for the village;
- No change in land use would occur;
- The store will create little additional traffic and the existing co-op store already has parking and access problems with the use of large delivery lorries;
- There is sufficient local parking to accommodate the store;
- Not everyone in the village is against this store;
- The store would be more accessible to the elderly;
- There is ample car parking within the village to serve the store;
- The existing food retailers within the village such as the CO OP block pavements and access when delivering goods and this has never been a problem locally;
- There are already chillers in similar retail premises and there have been no objections to these;
- The Parish Council has rarely if ever supported any form of retail or restaurant use within the village citing their view of justification or demand. However, the village has benefited from the opening of new premises recently and it is for Tesco to decide, whether their investment will bring a return;
- Were the application made by an alternative retailer to Tesco there would be substantially less objections;
- Tesco will not stop residents shopping locally at other stores, but it will bring about more choice and competitive prices;
- Many other stores within the village sell alcohol;

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

25. The key issues to consider in this instance are the impact that proposals would have upon the character and appearance of the Conservation Area, public realm, residential amenity and highway safety.
26. Representations have been received which raise both objections and support of the proposal that relate to the occupation of the premises by Tesco and the resultant impact upon local retail competition and the village as a whole. These comments are not considered to relate to material planning considerations and have not been given weight in the in the determination of this planning application.

#### **Visual Amenity**

27. The proposal would be sited in a prominent location within the glazed fascia of the principal elevation of the premises. The proposed alterations to the shop front under planning application S/1690/10 aim to provide a traditional and simple shop façade that would be in keeping with the character and appearance of the Conservation Area. However, the installation of an ATM within the frontage departs from this methodology, as it would contrast with the simple transparent glazed frontage and timber frame. The provision of a modern ATM unit is therefore considered to disrupt the symmetry of simple

timber framed glazing and would result in a prominent addition that would neither preserve nor enhance the character and appearance of the Conservation Area.

28. It is acknowledged that there are examples of ATM units within the street scene. However, these are sited in less prominent locations set back from the road side upon more modern buildings such as Barclays Bank opposite the application site. In light of the above the proposal is considered to not be visually congruent with the original building that it would be installed within to the detriment of the public realm. The proposal would therefore be contrary to criterion 2i) of Policy DP/3 'Development Criteria', criterion 1a) of Policy DP/2 'Design of new development' which seek that Planning permission will not be granted where the proposed development would have an unacceptable adverse impact upon village character. In addition the proposal would be contrary to the conclusions of the Great Shelford Village Design Statement, which requires refurbishments to be visually congruent with the original.

### **Highway Safety**

29. The Local Highways Authority (LHA) has raised an objection in respect of the highway safety implications of the development. The ATM is to be sited adjacent to the public highway where there are current parking restrictions in place. The installation of an ATM unit in this location is likely to engender a significant increase in the amount of short stay parking to the front of the retail unit. The section of Woollards lane immediately adjacent to the premises has a no waiting at any time restriction in place. The Local Highway Authority has confirmed that such a restriction is only used within a rural setting in response to a risk to highway safety. Woollards Lane carries significant levels of traffic, both motorised and non-motorised. The obstruction of a parked vehicle in the area in question would provide a hazard to all vehicular traffic, and in particular cyclists. As a result of the above the chances of an accident involving a vulnerable road user would be significantly increase. Furthermore, the Local Highway Authority has confirmed that it would object to any installation of an ATM within this restricted location.
30. In light of the above, the proposal would fail to adhere to criterion 2k) of Policy DP/3 'Development Criteria', which states that Planning permission will not be granted where the proposed development would have an unacceptable adverse impact from traffic generated. In addition it is noted that the provision of bollards, which it is assumed will safeguard the ATM unit from vandalism and crime are to be sited within the public highway. The Local highway Authority has confirmed that they would not allow the provision of such an obstruction to highway users upon land that they control.

### **Residential Amenity**

31. The proposed ATM unit would remain in use outside of the usual operating hours of the premises and those within Woollards Lane. As a consequence it is a concern of residents that such a use would result in adverse noise and disturbance upon the amenity of nearby residential properties. However, there is no evidence to suggest that the ATM unit would produce any adverse noise other than that of users of the unit at unneighbourly hours. It is acknowledged that the location of the ATM would be within close proximity to a residential flat and that its siting would encourage people to congregate at this location, however, its use is considered to be infrequent at unneighbourly times and is

not therefore considered to result in a significant adverse impact upon residential amenity.

### **Other Matters**

32. Representations from residents raise the issue that the location of the proposed ATM machine is currently used to park cycles, push chairs and shopping trolley's and that the loss of this space will hinder shoppers resulting in congestion upon the public footpath. Whilst this space may have served as a desirable location for such storage it is considered that its loss would be unlikely to result in shopping paraphernalia being left upon the footpath whilst shoppers use the retail premises. As noted above in paragraph 6.3.2 the provision of bollards would not be permitted within the adopted public highway and would be a matter for the Local Highway Authority to enforce.

### **Conclusion:**

33. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be refused in this instance.

### **Recommendation**

34. **Refuse**, for the following reasons:
  1. **The area of adopted public highway adjacent to the shop front is designated as a 'restricted no waiting at any time zone'. The installation of the proposed ATM unit would result in the short-term parking of vehicles directly outside of the retail premises within this zone. This section of Woollards Lane is particularly narrow and has high levels of vehicular traffic including cyclists. The restricted zoning has been put in place by the Local Highway Authority to preserve highway safety due to the nature of vehicle movements within Woollards Lane and the impact that parking upon this section of carriageway would have upon the visibility and free flow of traffic along the adopted highway. As a consequence of the above, the proposal is considered to result in an adverse impact upon highway safety contrary to criterion 2k) of Policy DP/3 of the South Cambridgeshire Development Control Policies DPD, 2007, which states that Planning permission will not be granted where the proposed development would have an unacceptable adverse impact from traffic generated.**
  2. **The proposed ATM machine would result in a prominent and unsympathetic feature that would be out of context with the simple glazed façade to the detriment of the symmetry of this principal elevation. To this end the proposal would be out of character with the shop front and building that it would be installed within. As a consequence of the above the proposal is considered to result in an adverse visual impact that would neither preserve nor enhance the character and appearance of the Conservation Area contrary to Policies CH/4, CH/9, DP/2 and DP/3 of the South Cambridgeshire Development Control Policies DPD, 2007 and the Great Shelford Village Design Statement, which seek that all new development must be of high quality design and, as appropriate to the scale and nature of the**

**development by preserving or enhancing the character of the area.**

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