

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1260/11 - Milton
Conversion and change of use of garage (C3 Use Class (ancillary residential))
to antiques shop (A1 Use Class (Retail)) at 363 The Rowans, Cambridge Road,
for Mr Paul Overton

Recommendation: Approve Conditionally

Date for Determination: 22nd August 2011

This application has been referred to the Planning Committee for determination because the recommendation of the Milton Parish Council does not accord with the officer recommendation.

Site and Proposal

1. The application site comprises a detached two-storey dwelling with an attached single storey double garage with external materials buff facing brick and concrete roll roof tile. The property sits in a large plot with an extensive area of hard standing to its frontage providing off road car parking. The site lies within the village development framework and outside the village Conservation Area. The Rowans is predominantly a residential area but does have some commercial premises, such as those opposite the application site, with other services and facilities located a short distance away upon Cambridge Road.
2. The proposal comprises the conversion and change of use of the existing attached double garage from ancillary residential space to a retail antiques shop (A1 Use Class). This would involve the internal conversion of the garage and external alterations through the removal of the existing garage doors with replacement glazing and a door.
3. The proposal has benefited from pre-application advice and is supported by a Design and Access Statement.

Planning History

4. None of relevance

Policies

5. 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/4** Development Infrastructure

DP/7 Development Frameworks
SF/4 Retailing in Villages
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

Consultations

6. **Milton Parish Council** – Recommend refusal on the grounds that the proposal would result in:
 - Parking Problems due to it being situated close to a busy junction and opposite other businesses and a care home;
 - Intensification into a larger business;
7. **Local Highway Authority** – Raise no objections commenting that two 2m x 2m pedestrian visibility splays are provided and permanently maintained free of obstruction above a height of 600mm. The Local Highway Authority considers the need for cycle provision to be provided on site.
8. **Environmental Health Manager** – Raises concerns over the use of the garage for commercial use due to the building not being insulated to the same standard as a domestic property, furthermore, the proposal may set a precedent for future development proposals of a similar nature. Regardless of this it is recommended that a condition ensuring that deliveries or collections shall not take place outside of unneighbourly hours.

Representations

9. None have been received.

Planning Comments

10. The key material planning considerations in the determination of this planning application are the impact that the proposed revisions would have upon the public real, retail local services, residential amenity, car parking and highway safety.

Retail Provision

11. The proposal would involve the change of use and conversion of a domestic garage to facilitate a small private antiques shop run by the occupier of the attached residential premises 363 The Rowans. Given that the proposal is for a small antiques shop and not a wider retail use within the A1 Use Class, the proposal is considered to represent a use commensurate to a scale, size and attraction appropriate to the function and size of village. Nevertheless, to ensure that the level of intensity of the proposal remains appropriate in terms of safeguarding residential amenity and highway safety it is considered necessary to condition that the consent is personal and the use carried out by the applicant and is associated with the residential occupation of No.363 The Rowans. Furthermore, should the premises cease to be occupied by the applicant the use would cease and return to its previous use as ancillary residential space associated with the main dwelling. The applicant has agreed to these conditions and therefore the consent will be solely for an antiques shop and no other use within the retail use class as secured by condition.

Public Realm

12. The proposed alterations to the garage would be common to that of a domestic garage conversion and would not appear incongruous within the predominantly residential setting of the Rowans. The conversion works would utilise materials to match the existing dwelling and would not provide any addition of fascia signage or alterations that would materially alter the domestic appearance of the dwelling. In addition the proposal would involve no alterations to the driveway or access to the property and is considered to result in a sympathetic and acceptable impact upon the character and appearance of the wider area. A condition shall be applied to ensure that no storage of materials associated with the business use to be kept outside the premises, other than refuse/waste.

Residential Amenity

13. No.363 The Rowans is a detached dwelling situated within a large plot and the proposed level of intensity from the proposed antiques shop is considered to be minimal. The conversion of the proposed garage would be subject to the necessary building control regulations with regard to insulation and would not involve a particularly noise sensitive use, given the personal and individual occupation and management of the proposed business by the current occupier of the property.
14. It is acknowledged that the proposal would result in additional vehicle movements above that of the existing residential use. However, these are considered to be predominantly by appointment and not by the attraction of passing traffic due to the secluded and low key siting and appearance of the site. In addition it is considered that most trade will come from local residents within the village who would be able to walk or cycle to the site. The adjacent dwelling at No.361 The Rowans has its driveway parallel to the proposed parking area for the site and it is not considered that the proposed use would have a detrimental impact upon the amenities that the occupiers of this property currently enjoy. Conditions will be attached to ensure that deliveries do not take place within un-neighbourly hours.

Highway Safety & Car Parking

15. The proposal would not involve any alterations to the access to the site or the hard standing currently in situ. As such the site only has the provision to provide a 2m x 2m pedestrian visibility splay upon the south east side of the vehicular access, which is currently defined by a gravelled surface separate from the tarmac that defines the driveway. The southwest side of the access is landscaped and not within the ownership of the applicant. Nevertheless, this arrangement is not uncommon within the street scene and the pavement at this point is particularly wide. Therefore the current arrangement to the access is deemed suitable to provide an appropriate access to serve the proposed mixed use of a dwelling and antiques shop.
16. The site is situated approximately 30m from the junction with Cambridge Road and given the likely limited intensification of the site as a result of the proposal it is not considered that any adverse impact upon highway safety would occur. Furthermore, The Rowans is a particularly wide road with the provision of vehicles to park either side and allow through traffic. Therefore

the proximity of other businesses is not considered to result in any detrimental impact upon highway safety within the area.

17. The comments from the Locals Highway Authority are noted with regard to cycle provision. However, given the association of the proposed shop with the existing dwelling and the private nature of the frontage of the premises, it is not considered that the formal provision of cycle storage is essential.
18. The site has an existing large driveway laid to tarmac, which could accommodate approximately four parked vehicles clear of the public highway. This is considered a sufficient level of parking for the existing dwelling and the proposed antiques shop.

Conclusion

19. 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 approved in this instance.

Decision

20. Approve

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: Scale 1:1250 site location plan; 160, 150 and 120.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No deliveries shall be taken at or despatched from the site outside the hours of 08.00 and 18.00 on weekdays and 08.00 and 13.00 on Saturdays nor at any time on Sundays, Bank or Public holidays.**
(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. **The use, hereby permitted, shall be carried out only by the applicant, Mr Paul Overton, and shall be associated with the occupation of the residential premises known as 363 The Rowans as indicated edged in red upon the approved location plan.**
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. **When the premises cease to be occupied by Mr Paul Overton, the use, hereby permitted, shall cease and shall revert to ancillary residential and all materials and equipment brought on to the premises in connection with the use shall be removed.**

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 6. No materials or equipment associated with the antiques shop shall be stored on the site outside the building save that waste materials may be kept in bins for removal periodically.**

(Reason - In the interests of visual/residential/rural amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 7. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the retail use hereby approved shall be limited to an antiques shop and to no other purpose (including any other purposes in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).**

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 8. The materials to be used for the development, hereby permitted, shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.**

(Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)

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