

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 December 2012

**AUTHOR/S:** Planning and New Communities Director

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**S/2025/12/FL – SHEPRETH**  
**Erection of Garden Centre Sales Building at Royston Garden Centre, Dunsbridge**  
**Turnpike for Royston Garden Centre**  
**Recommendation: Approval**

**Date for Determination: 10 December 2012**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the Parish Council's recommendation of refusal is contrary to Officer recommendation of approval.**

**To be presented to the Committee by Matthew Hare**

**Site and Proposal**

1. The application site comprises a small section of the Royston Garden Centre that is currently used for screened storage. The Garden Centre is a large retail (limited by conditional requirement to the sale of goods that are ancillary to a garden centre only) site situated outside of the Shepreth Development Framework.
2. The wider site comprises a large car park to the frontage with the A10 with the garden centre buildings, covered sales area and open sales areas to the rear. The buildings are low scale contemporary affairs of typical garden centre character. The boundary with the A10 (to the north west) and Cambridge Road (to the north east) is formed by soft planting of various heights.
3. A very small part of the wider site falls within flood zone 3, this is limited to the south western boundary. The application site falls outside of this designation. Although the site is within the defined countryside it is adjacent to the Shepreth Development Framework Boundary.
4. The proposals seek the erection of a single storey building to form an additional garden centre sales area. The building is approximately 4m in height with a simple gabled form and is proposed to be finished with a grey roof and green boarded walls.
5. **Planning History**

**S/0967/94/F** – Change of Use to Garden Centre – Approved subject to a condition that the site be used for a garden centre purpose only and nothing within the wider A1 use class.

6. **Planning Policy**

**South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**

ST/7 – Infill Villages

**South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted January 2007**

DP/1 - Sustainable Development  
DP/2 - Design of New Development  
DP/3 - Development Criteria  
DP/7 - Development Frameworks  
ET/5 - Development for the Expansion of Firms  
NE/1 - Energy Efficiency  
NE/2 - Renewable energy  
NE/11 – Flood Risk  
TR/1 - Planning for more Sustainable Travel  
TR/2 - Car and Cycle Parking Standards

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

7. **Shepreth Parish Council** - Recommends refusal for the following reasons

**Policy ET/5 – Development for the expansion of Firms:** *The application states that the two sales buildings are to be used by two independent traders and note that the retail businesses are unspecified. The Granting of permission for two sales buildings in this manner could establish a non-conforming use and would cause problems with traffic and other damage to the environment. It also conflicts with other policies:*

**Policy NE/8 – Ground water and NE/9 – Water and drainage infrastructure:** *The proposed site area for the two units is largely unpaved. The construction of two units and the introduction of new paved areas will increase the volume of surface water to be managed and the potential for flooding.*

**Foul sewage:** *It is proposed that the foul drainage will be connected to the existing sewerage. The application does not provide this information, suggesting that a septic tank may be proposed as part of the Building Regulations application. This may allow semi-processed sewage to enter the ditch around the garden centre, the Guilden Brook, the groundwater system and local aquifer. which will also adversely affect all associated habitats, fauna and flora.*

**Policy DP/3 – Traffic:** *The Design and Access Statement indicate that there will be no impact on accessibility. The drawings show that the two sales buildings will be constructed in what is now the storage compound, which will need to be re-provided within the confines of the site. This will reduce the number of existing parking spaces. The application states that no further parking spaces are to be provided yet two new sales areas will inevitably attract additional custom requiring parking.*

*Given this, the additional number of vehicle movements created at the entrance, which is on a road without a speed restriction, opposite the Lawn Mower centre, two bus stops, Shepreth allotments and just before the bend as the Cambridge Road joins*

*the Old Dunsbridge Turnpike and the A10 would be detrimental to the safety of pedestrians (there is no pavement or street lights along this section of the road), cyclists and other road users.*

*The reduced number of parking spaces caused by the re-provision of the storage compound and the increase in customers requiring parking has the potential to create queuing on the Cambridge Road in both directions. The weekend is the busiest time of the week for the lawnmower centre, garden centre and Shepreth allotment tenants.*

**Policy CH/8 – Advertising:** *Granting permission for the two sales buildings let to independent traders, will, inevitably, lead to some kind of advertising visible above the earth bund along the A10. This would be detrimental to the visual aspects of the village at this point and distract drivers as they negotiate the very busy and dangerous staggered junction with Frog End.*

*Finally, the garden centre has seen many changes to its retail aspects over the years. Whilst these additional businesses are retail related, the Parish Council is concerned that by granting permission for further retail units the site will become an established retail park*

8. **Economic Development Panel** – Recommends approval commenting that support should be provided to help the growth of established businesses.
9. **Landscape Design Officer** – No comments received.
10. **Environmental Health Officer** – No objections having regard to noise and environmental pollution.
11. **Local Highways Authority** – No significant impact upon highway safety.
12. **Environment Agency (EA)** – No comments received.
13. **Ecologist** – “No objection is raised regarding biodiversity impact. However, advises that the application should clarify what level of run-off will be produced and how it will be dealt with within the capacity of the existing system, or without the potential harm caused by the drowning out of waterside habitats. Advises that any uncontrolled discharge from this site would be unacceptable given that downstream is the Shepreth L-Moor SSSI which has wetland sensitivities.

#### **Public Consultations by South Cambridgeshire District Council as Local Planning Authority**

14. 1 letter of representation received from the occupants of no. 124 Frog End objecting to the proposals for the following reasons:
  - Design of the proposed building
  - Increase in the number of vehicular movement associated with the site
  - Loss of car parking on the site
  - Surface water flooding
  - There is no lighting details provided with the application
15. 1 letter of representation received from District Cllr Soond. Objecting to the proposals for the following reasons:
  - Inappropriate materials proposed

- Loss of parking
- Flood Risk
- Biodiversity
- Tree impacts
- Visual impact
- No specification of proposed use
- No use of renewable energy technologies
- Highway Safety
- Lack of neighbourliness
- The potential for crime

### **Material Planning Considerations**

16. The key issues to consider in this instance are the principle of development as an expansion to an existing business, visual impact and surface water drainage.

### **Principle of Development**

17. Policy ET/5 supports the expansion of existing firms where the site is located within or next to the development frameworks of minor rural centres or rural centres. The site is adjacent to the Shepreth Development Framework Boundary, however the village is not classified as a minor rural centre or rural centre and thus does not strictly meet the tests of policy ET/5. However the NPPF at para 28 is clear that Local Planning Authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. In this regard the proposals are considered to be of appropriate design (see discussion below) and located in a sustainable location for a garden centre – the likes of which are rarely found within framework boundaries – benefiting from good highway links and a nearby bus stop. As such it is considered that the Council can support the principle of the development and this is echoed in the recommendation of approval received from the Council's Economic Development Panel.
18. The application is not explicit in confirming what the end use of the sales areas will be. The applicants have confirmed that the additional sales space is required in order for the business to remain competitive. None the less it would be reasonable and necessary to apply a condition to limit the use of the building to that of ancillary to a garden centre to avoid an unrestricted A1 use which could cause material harm.

### **Visual Impact**

19. The proposed building is sited on a prominent location to the front of the site near to the junction of the A10 with Cambridge Road. Despite this prominent location the small scale of the structure means that it would be obscured by the tall landscaping on the boundary with Cambridge Road and the applicants have agreed to a condition to ensure additional tree planting on the A10 frontage to help screen views. Furthermore the design of the building utilises suitable materials comprising grey roof and green boarded walls. On balance therefore the visual impact is not considered harmful.
20. A representation received raises concern for the lack of lighting details submitted. This is taken to imply that no external lighting is proposed. However a salient point is raised and it is considered necessary to apply a conditional requirement to ensure that no external lighting is affixed to the building unless agreed by the LPA to ensure that there is no adverse impact in any capacity.

## **Surface Water Drainage**

21. The matter of surface water drainage is raised as a potential concern by the Council's Ecologist. Essentially it is important to ensure that no uncontrolled discharged is released into the water system as this could be harmful in biodiversity terms. It is considered that a surface water drainage scheme could be engineered to address this matter, and as such it is reasonable and necessary to condition such details. The applicant has been approached on this matter and further details may be forthcoming prior to the date of the Committee meeting. If so members will be informed by an update.

## **Further Considerations**

22. Concerns are raised for the impact upon highway safety in a number of the representations received. The Local Highways Authority advises that there is no impact upon highway safety in this instance and thus this does not form a material concern with regard to the scheme.
23. Loss of car parking is raised as a concern by the Parish Council and other representations. The scheme proposes no loss of car parking, the representations receive make an assumption that this would be due to the need to relocate the existing storage area if the sales building is built. There may or may not be a need to reposition the storage area, but it would not necessarily need to take up parking spaces. Furthermore, if parking is at a premium on the site as suggested then it would not be rational for the site owners to reduce the existing number of spaces. Finally the parking area is controlled by condition 3 of planning permission S/0967/94/F and thus the LPA retains ultimate control in this regard.
24. Concerns are raised by the Parish Council that no details of the foul water drainage are provided to accompany the application. The application is explicit in its intention to contend with foul sewage via the mains sewer, thus any alternate disposal scheme would not be in accordance with the scheme and hence would be unauthorised.
25. The Parish Council raises concerns for the proliferation of adverts on the site. No adverts are proposed under this application as such works are controlled under separate legislation. Any advert outside of the scope of that provided deemed consent through the advert regs would therefore require consent and the LPA would have control over the impact.
26. Cllr Soond raises concern for tree impacts. The proposals are not considered to materially harm adjacent trees due to the degree of spatial separation. The application form states that no trees will be removed to facilitate the development.
27. Cllr Soond raises concern for the lack of renewable technology proposed. Unfortunately local policy does not require this on a development of this scale.
28. Cllr Soond raises concern for lack of neighborliness. Due to the small scale and degree of separation from adjacent dwellings the proposed structure is not considered to have a material impact upon residential amenity.
29. Cllr Soond raises concern for the potential for crime in respect of the proposals. The scheme benefits from natural surveillance and presumably the site operators have a CCTV scheme to protect against crime.

## Conclusion

30. 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 granted in this instance.

## Recommendation

31. It is recommended that the Planning Committee approve the application subject to the conditions set out below.

## 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 & Documents: 2012-082-001, 2012-082-002 & 2012-082-003.**  
(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 take place until details of the materials to be used in the construction of the external surfaces of the buildings and the driveway hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 4. No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include the specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 5. All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first use of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 6. Notwithstanding the provisions 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 building shall be used as ancillary to the garden centre only and for no other purpose (including other purposes in Class A1 of the of the Schedule to the Town and Country Planning (Use Classes) Order 1987(or any order revoking and re-enacting that Order with or without modification), unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**  
(Reason – To ensure that the use of the site remains appropriate to its location within the countryside.)

- 7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)

**Case Officer:** Mathew Hare – Senior Planning Officer  
Telephone: (01954) 713180